

# Hawaiian Gazette.

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HONOLULU, H. T., TUESDAY JULY 14, 1903—SEMI-WEEKLY.

WHOLE No. 2503.

## HOME FOR FISHES SOON TO BE READY AT KAPIOLANI

### Description of Place That Will Hold Cosmopolitan Population of the Pacific.

Honolulu's long promised and frequently discussed aquarium will soon be a reality.

Through the munificence of several public spirited parties this latest attraction will be erected on the beach at Waikiki, opposite Kapiolani Park, and form one more link in the general scheme for beautifying and adding future pleasure and recreation.

As a place of instruction the aquarium will be of much interest to the student, the resident, and the visitor at the cross roads as well, who, at no other place in Pacific waters may behold the same beautiful varieties of rainbow hued specimens of the finny tribe.

A large aquarium involves constant care and anxiety; the fish must be fed so that they may enjoy good health, and to insure this they must live under conditions as near as possible the same as they have been accustomed to in the water from which they have been taken.

Aeration is accomplished by carrying a main pipe over the entire length of building, from which under pressure, a small stream of water pours from a tap into each tank, breaking the surface of the water, and carrying to the bottom of the tanks, and distributing over the bodies of their contents, myriads of minute bubbles of air.

The vegetation which forms a beautiful and interesting feature of the aquaria, serves a double purpose, as such growths serve to purify the water.

Sea weeds, however, do not bear transplanting, but sea water is so impregnated with the seeds or germs of vegetable life, that when a few stones or fragments of rocks are taken from the ocean, marine vegetation speedily commences and proceeds.

Following is a brief description of the aquarium to be built at Waikiki:

In style or character the general exterior of the building has a touch of Oriental, in a simple treatment which will be well adapted and harmonize with conditions of environment.

The grounds will be laid out in an attractive manner, affording park facilities, sea vistas and access to the beach.

The principal materials used in construction will be old lichen covered field stones for the sub-base, a buttressed stone entrance, with cut voussoir arch stones, and frame for the balance of the structure, with an open timber construction for the roof of pavilion.

In plan the building is cruciform, the total length of cross-arms being 83 ft. 10 in., and total length on main axis, from entrance to end of building 105 ft. The arrangement in plan will admit of future extensions or additions.

At the intersection of arms is formed an octagonal pavilion 40 ft. wide, in which may be arranged plaster casts of rare specimens of the deep. In the center of pavilion is a basin or tank 12 ft. in diameter.

In each arm is arranged the aquaria on either side of corridors leading from the pavilion, consisting of a series of compartments, or tanks, numbering thirty-six, for the different varieties of fish.

The tanks will be constructed of concrete and metal lath 3 ft. 6 in. wide, 3 ft. 6 in. high and 5 ft. long; on the corridor side, separating the visitor from the finny tribe, will be half an inch thick polished plate glass. The tanks will be lighted from skylight formed in roof above, the light penetrating through the water will show off the beautiful tints and variegated colors of the fish, in their element.

Back of the row of tanks will be a passage, affording working space and concealing from view the attendants, at their duties caring for the fish, regulating supply of air or water, or rearranging new exhibits.

Salt water will be pumped from a well excavated in the coral near the beach, into a 4000 gallon distributing tank, elevated sixteen feet.

The water thus obtained will be subjected to a filtering process, deleterious matter being separated by the passage of water through sand and coral.

From the distributing tank, water will be conducted through one and a half inch bored redwood pipe, with brass cock outlets for the supply of each of the aquaria, into which will run constantly a half inch jet of water delivered at the surface, through a nozzle or reducer which admits air being sucked in and forced into the water of the tank, in minute globules.

There will also be a separate piping system through which an auxiliary pump will force air into the various tanks, thus insuring water being perfectly aerated.

(ASSOCIATED PRESS CABLEGRAM.)

### Big Tent Blown Over.

DENVER, July 13.—The Christian Endeavor convention tent containing 8000 people was blown over today. A score of the delegates were injured.

### Friends of Alexander Conspire.

BUCHAREST, July 13.—An army conspiracy to avenge the murder of King Alexander has been discovered. Many arrests are being made.

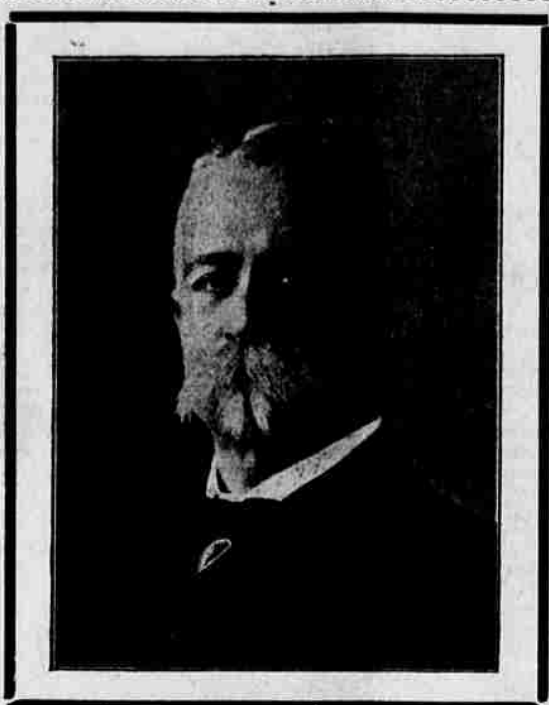
### Katsura and Ito in Office.

YOKOHAMA, July 13.—Count Katsura has resumed office and the Marquis Ito has accepted the presidency of the Privy Council.

### Bad Outlook for Canal Treaty.

BOGOTA, July 13.—The refusal of the Government to assume responsibility for the canal treaty mitigates the chances of ratification. The majority of the senators oppose the treaty.

## DEATH COMES PAINLESSLY TO JUDGE WILCOX



JUDGE WILLIAM LUTHER WILCOX.

### Since Boyhood His Life Was Devoted to the Service of the Hawai- ian Government.

Judge W. Luther Wilcox died at precisely eight o'clock last evening at Queen's Hospital. The end came peacefully and painlessly. Since Saturday the physicians had given up hope of his recovery and from that time his brothers and relatives and one or two close friends were at the bedside, expecting death, they knew not when.

Judge Wilcox was conscious almost up to the hour of his death. Early in the afternoon he dropped to sleep waking up about an hour later. "I feel all right now," he told those at his bedside, "ten hours of sleep does a man lots of good."

Then he asked for a drink and dropped to sleep again. Gov. Dole and W. O. Smith were at his bedside during the afternoon and evening as well as the members of his family. He began to sink early in the afternoon and from that hour until death came he slowly sank away. No suffering attended his death and he seemed to recognize those about him almost to the end.

Judge Wilcox's death was due to a complication of diseases, on top of which came gangrene. Some time ago the judge, being bothered by a troublesome corn, used a razor to get rid of it. Gangrene set in that time, though Mr. Wilcox was not aware of it. However it affected his system and in May he took a hurried voyage to the coast in the hope of recovering his health. He accompanied his brother, George N. Wilcox, who was making the trip on business.

Upon his return June 1st Judge Wilcox appeared much improved, though still feeling far from well. He held court for several days and then was confined to his home, when finally he determined to get rid of his trouble and went to Queen's Hospital to have his foot operated upon. He was operated upon June 20th, and the operation was thought to have been successful, one toe being amputated. A few days later when it was seen that the gangrene had not been entirely cleared away a second toe was removed. On July 7th it was found necessary to amputate the leg below the knee, but even this severe operation failed to relieve the patient and though he rallied at first, since Saturday the physicians had abandoned all hope of saving Judge Wilcox's life. His three brothers who are living on Kauai were sent for last week, and they have been at the bedside continuously.

#### JUST FIFTY YEARS OLD.

Judge Wilcox celebrated his fiftieth birthday anniversary last week. He was born July 8, 1853, at Waioli, Kauai. His parents were Mr. and Mrs. Abner Wilcox who came here among the early missionaries. They were not missionaries, however, but Abner Wilcox was a missionary teacher. Judge Wilcox was the sixth of seven children, all sons. The eldest son, Charles, died in California five years ago. Henry Wilcox, the youngest son, who was at one time sheriff of Kauai, died seven or eight years ago. Of the four surviving sons, Edward is now living in Winsted, Conn. He had been notified of his brother's illness, but too late to reach his bedside. The three remaining brothers all live in Hawaii—on Kauai, where they are interested in Lihue plantation. George, the eldest, is unmarried. Albert Wilcox is married, and so is Samuel W. Wilcox, the Senator. He has several children.

The widow and the four brothers are the only surviving members of the family. The parents of the deceased died while William was a boy of sixteen. They were at the time on a visit to their old home in Winsted, Connecticut, when taken suddenly ill. They died within an hour of each other.

William's early education was received at home. His father was a teacher, and the boy was well grounded in the rudiments of knowledge. He was then sent to Punahou College, remaining there for two years—1867 and 1868. Then word came of the death of his parents, and the boy immediately determined to earn his own living. He was almost perfect in his knowledge of the Hawaiian language, and he naturally turned to that when thrown upon his own resources.

He secured the appointment of interpreter in the courts here and could have remained there all his life if he had so wished. As an interpreter he had no superior, and though he was not at all certain of his own powers, his success was immediate. From the courts he went to the legislature and was interpreter for many sessions, be-

(Continued on Page 5.)

## POPE'S KINDRED SUMMONED TO HIS DEATH BED

### Russia Informs China That She Will Open Manchuria Six Years Hence.

(ASSOCIATED PRESS CABLEGRAMS.)

ROME, July 13.—Indications are that the Pope will soon die. He has troubled sleep and intervals of semicoma. Stimulants are frequently given His Holiness, who complains of growing fatigue. His relatives have been summoned to his bedside.

### Oliver Succeeds Sanger.

OYSTER BAY, July 13.—Robert Oliver of Albany, N. Y., succeeds Col. Wm. Carey Sanger as Assistant Secretary of War. Both Oliver and Sanger have long been connected with the New York National Guard.

### Another Russian Subterfuge.

ST. PETERSBURG, July 13.—Newspaper reports are that Russia has informed China that she will open Manchuria in 1909, when the country becomes tranquilized.

### Movements of Lissar.

PORT ARTHUR, July 13.—Paul Lessar has returned here.

## A FINE RECEPTION TO THE AMERICAN NAVAL SQUADRON

(Associated Press Mail Special.)

PORTSMOUTH, Eng., July 7.—With the boom of cannon the British fleet, on behalf of King Edward, welcomed the United States European squadron to Great Britain's naval headquarters this morning. The gunboat Machias joined the flagship Kearsarge, the Chicago and the San Francisco early in the morning and shortly after 8 o'clock signals began to flutter from the mastsheads of the American and British ships. The latter, in obedience to a signal from Lord Charles Beresford, the commander of the Channel Squadron, formed two lines and down this lane of huge, gray warships moved the Americans, their white sides gleaming in the sunlight.

National salutes were fired by each squadron, which was followed by an exchange of salutes to Rear Admiral Cotton and Vice Admiral Beresford. Subsequently the two Admirals exchanged calls on the flagships, according the usual honors as each came over the side. At high tide the American warships entered the harbor, led by the Kearsarge, which was moored south of the railroad jetty and within a stone's throw of Nelson's old flagship, the Victory; King Edward's yacht, the Victoria and Albert, and the battleship Collingwood, flagship of Admiral Hotham, the commander in chief of Portsmouth.

As the Kearsarge approached the jetty, "attention" was sounded on the Victoria and Albert, the Victory and the other ships in the harbor, a courtesy which was returned from the Kearsarge's deck, on which were drawn up an Admiral's guard of fifty marines, under the command of Lieutenant Colly.

So soon as the Kearsarge was berthed Sir William Dupree, the Mayor of Portsmouth, boarded her and greeted Admiral Cotton, saying:

"The people of Portsmouth welcome the American squadron and extend to its officers and men all the courtesies they can offer."

Admiral Cotton replied, expressing his pleasure on behalf of the United States.

Admiral Milne, commander of the Royal yachts, specially detailed by King Edward to welcome the Americans, arrived on board the Kearsarge and was received by Admiral Cotton and Captain Hemphill. Admiral Milne expressed the gratification of King Edward at the arrival of the squadron, and, in behalf of the King, welcomed it to England.

Subsequently Admiral Cotton, Captain Hemphill and the staff officers visited the naval officials, escorted by an Admiral's guard and a band.

Admiral Cotton has designated the officers who are to attend the state ball at Buckingham Palace, London, Wednesday, in honor of President Loubet. Besides Rear Admiral Cotton and all the American commanders, the list includes a number of lieutenants and ensigns and representatives of the medical and pay staffs.

During Admiral Cotton's visit to Admiral Hotham, the latter recalled the fact that they had previously met at Esquimaux, when Admiral Hotham commanded the British Pacific squadron, and Admiral Cotton was in command of the Philadelphia. Admiral Hotham reiterated personally the warm message of welcome which he had previously transmitted to Admiral Cotton at Spithead.

The Americans were presented to Lady Hotham and others. Immediately after Admiral Cotton returned on board the Kearsarge Admiral Hotham and his staff returned Admiral Cotton's call. Deputy Governor Cochrane, of the Isle of Wight, also called on Admiral Cotton.

Subsequently the American officers ended their official visits by calling on the Mayor of Portsmouth.

Admiral Cotton and the other American officers, while in London, will be quartered at various hotels, as the guests of the Nation. Admiral Cotton vigorously denies the report which appeared in the German newspapers that over a hundred men deserted from his squadron at Kiel. The Admiral declares that the discipline of the crews is excellent.

"Only one man, a corporal of marines," said Captain Hemphill, "left the Kearsarge."



# LEGISLATURE IN HARMONY ENDS ITS LONG TERM

(From Sunday's Daily.)

## A MESSAGE TO THE LEGISLATURE OF THE TERRITORY OF HAWAII.

I have no further public business to recommend for your consideration at this session of the Legislature.

Permit me to congratulate you upon the completion of the work of the session and to thank you for the liberal appropriations you have made for the administration of the public affairs of the Territory.

SANFORD B. DOLE,

Executive Chamber, July 11, 1903.

Governor.

The Second Legislature passed shortly before midnight. It was as harmonious in closing as it was tempestuous during its ante agreement days, a veto from the Governor being unanimously sustained.

The day was one which saw passed the three important measures, the loan bill and the two salary bills, and in both houses the vote was such as to show the readiness of the members to get through their work. The expressions of good will were many and the session closed with the utmost good feeling.

The veto of the governor hits Hilo hardest, but the lower house recognized its justice and all voted for its being sustained. There was no discordant note and the adjournment was after an earnest and heartfelt expression by Speaker Beckley.

### IN THE HOUSE

When the House met there was first presented the conference report upon the Six Months' Salary Bill, handed in by Knudsen, and signed by all conferees except Kumalae and Lewis. The reading had proceeded for a short time when Kumalae entered and at once raised a point of order that the conference committee had met during the morning, voted to reconsider the items of Superintendent of Public Instruction and Auditor, adjourning before that was accomplished, that in consequence there were no salaries for those officers. Speaker Beckley took the report and found that it did contain the items in question, and therefore ruled out the point of order.

Upon the completion of the reading of the report Kupihua moved that the report be adopted. Lewis said that there would be a minority report and Kumalae suggested that during the afternoon there would be a report submitted and moved also that there be a postponement of action until afternoon. He said the two items had been reconsidered and left in the air. Kellinohi said that faith had been broken with the Senate often enough and he thought the majority report should be adopted at once.

### BECKLEY PLACES POINTS.

Speaker Beckley said that the majority party must bear the brunt of the public criticism in the event of failure of the appropriation bills. The question was not only a political one, there would be not only a political issue made of it but as well a racial one. The Hawaiian people were on trial and by their votes were to be judged. The members of the House had been characterized as back yardmen and incompetent, men not expected to pass any legislation of benefit to the people. It was therefore the time for the members to show just how they would be judged. He said he was not making the statement to influence votes but he deemed it his duty as presiding officer to give to the House timely warning of the condition of affairs.

The bill was then passed by twenty-five yeas to four noes, the latter being Kumalae, Lewis, Oili and Paele. The conference report on the Eighteen Months' Salary Bill was then submitted by Chairman Kalama. There was absolutely no discussion, though after the vote Wright began to explain that he insisted on the Campbell item but he soon quit. The vote was twenty-four yeas, five noes, the noes being Kupihua, Lewis, Oili, Paele and Wright, Kumalae voting aye with the remark that he did not vote for Marston Campbell.

The message of Governor Dole vetoing the item of appropriation for the Kona Orphanage was then read. Lewis moved to sustain and Wright to override. The vote showed twenty-eight in favor of sustaining the veto, the one negative being Wright.

### LOAN BILL GOES THROUGH.

Fernandez moved to adopt the majority report on the Loan Bill. Aylett rose to make his swan's song before he would support the bill. He said the last canoe was to be launched and if it was to bring prosperity and happiness he called on everyone to strike the paddles deep and send the canoe along merrily till it touched every shore from Hawaii to Niihau. He said the time had come to prove that Legislators were not here for purpose other than the good of the people, despite the charges against them, which they could show by voting for the report and passing the bill.

Oili fought against "Or" as did Kaniho, the latter saying that the bill would be ineffective to bring peace to the people; only misery would follow it, when the citizens wanted county government and it was denied them. Paele said he was grieved over the use of the word, seconding Oili's expression that the Senate smuggled in the "or".

Fernandez rose to defend the Senate and the conference report, making one of the strongest and most cogent arguments of the session.

Speaker Beckley interrupted once during a colloquy to say that there seemed a misapprehension. No bonds could be issued or money spent except for specific uses as in the bill, and the \$2,000,000 would be spent among the people. This is the most important bill of the session, he said, for the improvements must be made, and if

County Government is delayed still the work of the Territory must go on. If there is diversion of funds the officials must answer to the people at the next election. The money borrowed must be spent where it is directed by this House.

### FERNANDEZ IS RESPONSIBLE.

Fernandez continued that condemnation of the Senate was ill-timed. He said it was not a Senator who proposed the word "or" but himself, and he took all responsibility, for he knew that by its use the appropriations would be expended just where the Legislature directed. He defended the Senate, said that this course alone saved the bill, and called for everyone to support it. The previous question being called the vote was had there being twenty-seven yeas to two noes.

Lewis of Hilo and Paele voted no and Kaniho and Oili in voting aye said they did so for the benefit of the people. Their votes were received with cheers.

### TO FIX UP JOURNAL.

Chillingworth offered this resolution: Be it Resolved, That the Clerk of this House be and is hereby empowered to prepare the Journal of this House in extra session and have at least 500 copies of the same printed—200 in English and 300 in Hawaiian—and to have them bound, if possible, together with the Journal of this House in regular session.

Be it further Resolved, That in order to allow sufficient time for the completion of the records of this House, the proper disposition of its papers, and the distribution of copies of the Journal to the members and others as hereinafter described, the said Clerk is hereby given forty days under pay, who will also take charge of all the furniture and writing materials of the House and turn them over to the Superintendent of Public Works for safe-keeping and for the use of the succeeding House of Representatives.

Be it further Resolved, That the Clerk is hereby ordered to distribute copies of the Journal as follows: To each of the members, 5 copies of both versions; to the members of the Senate, 1 copy of each version; 1 copy to the several heads of departments and bureaus, 1 copy to the several libraries and public institutions in this Territory and 40 copies of each version to be reserved by the Clerk for the use of the members of the House of Representatives and Senate of the year 1905, and the balance if any to be turned over to the Secretary of the Territory to be by him distributed as he thinks best.

The resolution as originally introduced made provision for sixty days, but on motion of Mr. Harris the length of time to be allowed the clerk was reduced to forty days.

The House then took a recess until 8 o'clock.

### EVENING SESSION.

It was 9 o'clock when the House was again called to order. The Senate reported the agreement to the eighteen months' salary bill conference report and to the Six Months' bill report as well. The Senate likewise transmitted its concurrent resolution, requesting and authorizing the Governor and Secretary to issue one-fourth of the bond issue in denominations of \$100.

The House took up the resolution immediately and Kellinohi moved that it be adopted. The roll call showed twenty yeas and an absence of noes, and the resolution was declared adopted.

Kalama offered a resolution giving the stenographer thirty days with pay to assist the clerk in preparing the journal and index. The resolution was adopted.

Vida then presented the following resolution:

"Resolved, That the House of Representatives of the Second Legislature of the Territory of Hawaii express their high appreciation of the fair, temperate and able manner with which Hon. W. Beckley, Speaker of the House, has presided over the deliberations of the session now closing. His strict integrity to his important trust as a representative of the whole people, his nonpartisan spirit and his thoughtful and timely counsels in dealing with the issues of popular and competent government have inspired the confidence of his associates in this House, materially advanced the best

interest of the Territory and established a more harmonious sentiment among all reputable American citizens of these islands.

Resolved, That we as representatives of the people extend to Speaker Beckley our congratulations for his success and our thanks for the courteous consideration shown all members of this House irrespective of party or class."

Clerk Meheula put the question and unanimously the House voted.

Speaker Beckley was called upon by the members of the House to make a speech and said that he thanked the members of the House for their kind expressions. Business he said was first and there should be nothing to stand before that. He would not take the time of the House he said further than to express his good wishes. He then appointed Messrs. Harris, Kumalae and Kellinohi to wait on the Governor and notify him that the House had finished its business.

Senator Baldwin, Paris and Kalauokalani entered and announced that they had come to ask if the House had any further business, were told that a committee to act with them had been named and the two committees retired to wait on the Governor, the House taking a recess which lasted until 10:45 o'clock.

### VETO IS SUSTAINED.

The House then received the veto message of several items in the Loan bill. Harris moved that the veto be spread on the Journal of the House and Kumalae moved to sustain the veto of the Governor, the motion receiving the votes of the twenty-two members present.

Secretary Carter then notified the House of the signature of the two salary bills.

The Governor's congratulatory message was next read and then came the close.

Speaker Beckley congratulated the House upon its work and thanked the members for their efforts. The House he said, may have occupied more time than necessary, but the Governor's words of congratulation were before him, thanking the legislators for their labors. The improvements asked by constituents were provided. The record was one to be proud of despite adverse newspaper comments. By the vote of the day, he said, all racial differences and petty schemes had been put aside and the interests of the people regarded. Some instances of criticized utterances occurred but that was the exercise of the privilege of American citizens.

Thanking the members for their expression of confidence he said it was a priceless tribute, and that what success he had attained was shared by all members of the House, many differing in political belief, but here having sunk all such differences and worked for the people.

After benediction the House adjourned sine die all singing "Aloha Oe" and "Hawaii Pono!"

### IN THE SENATE.

Governor Dole's veto of the Kona Orphanage subsidy was unanimously sustained by the Senate yesterday morning. Senator Dickey, as committee of one, had reported that the charter of the institution was "The Hawaiian Orphanage and Industrial School Association," and that the charter provided among other things that every trustee, director and officer of the corporation should be a member of the "Church of Christ," as such believing in Jesus as the Son of God and in immersion as baptism.

### HOUSE RELATIONS.

The House by letter informed the Senate of the appointment, as members of the conference committee on Senate bill No. 3, eighteen months' salaries: Representatives Harris, Kalama, Knudsen, Wright and Kou.

Another House message announced that body's concurrence in the Senate amendments to House bill No. 10, the last unpaid bills measure.

Senator Dickey said he would vote to sustain the veto, not because the place was a school—as he did not consider it a school any more than a private home where a governess was employed—but because there was no such institution as the Kona Orphanage and the money therefore could not be expended even if voted.

"Shall the item pass notwithstanding the veto of the Governor?" was decided in the negative by the votes of all members present, viz.: Achi, Baldwin, Crabbe, Dickey, Isenberg, Kalua, Kalauokalani, Kaohi, McCandless, Nakapahu, Paris, Woods—12.

Senator Dickey presented a resolution authorizing the President after adjournment to certify all bills for expenses of the special session of the Senate which he found correct, which carried with an amendment by Senator Achi allowing the Clerk pay for twenty days after adjournment.

### THE CONEY BILL.

Under a motion of reconsideration, the bill appropriating \$12,000 to reimburse the Coney Estate for Tantalus road damages, with the Senate amendment making it subject to a decision of the Supreme Court, came up for third reading.

Senator McCandless was ruled against on his point of order that there could be no reconsideration of the vote, since there was no such majority in the case as was required for the final passage of a bill, reconsideration in parliamentary practice being only movable by one who had voted in the majority. The Senator then proceeded to speak against the bill.

Senator Baldwin called the speaker to order, as there was no motion before the house, and moved that the bill pass.

Senator McCandless cited the will of the late John H. Coney, showing that it divided one-half of the property in equal parts to his wife and sister and the half remainder to his children. It also gave the executrix power, with the approval of his wife and a Justice of the Supreme Court, to sell any or all of the real estate. Mrs. Haalelea, executrix, with the signed approval of Mrs. Coney and the late Chief Justice Judd, conveyed a 50-foot right of way through the Tantalus property of the estate to the Hawaiian Government in 1894. The speaker argued that the action of the Senate in reconsidering the bill, was a slur on the Public Lands committee by which it was unanimously recommended to be tabled, an insult to the memory of the late Chief Justice

Judd and an attempt to wrongfully present \$12,000 of public money to private parties. He quoted the President of the Senate as valuing the Tantalus land at \$200,000, arguing that it would have been comparatively worthless but for the Government road built at great expense.

Senator Isenberg raised the point of order that the bill provided for a decision of the Supreme Court.

Senator McCandless said the Supreme Court had already decided through the approval of the Chief Justice to the deed.

President Crabbe informed the speaker he had but a minute more, to which he said he had only just begun his speech.

Senator Woods moved he have an extension of two hours.

Senator Baldwin moved he be given till midnight, as his evident intention was to talk the bill to death.

Senator McCandless spoke of there being hundreds of other people who felt they had grievances against the Government and asked why one such party should be singled out for relief from the Legislature. There was no mistaking the meaning of the Coney will or the deed thereunder.

Senator Isenberg thought every member would stand up to thank the committee for its work, but when Senator McCandless said he understood that will he was away off. He (Isenberg) would not put his father's will into the Senator's hands for construing.

Senator McCandless returned to the attack, but soon ended with an appeal to the Senate, in the public interest, to reject the bill.

### THE BILL PASSED.

The bill passed third reading upon a bare majority of all the members of the Senate, the vote being:

Ayes—Achi, Baldwin, Crabbe, Isenberg, Kalua, Kalauokalani, Nakapahu, Woods—8.

Noes—Dickey, Kaohi, McCandless, Paris—4.

At 11 o'clock recess was taken until 2 p. m., the President intimating that an evening session would also be necessary, as the Governor could hardly examine and sign all the remaining bills in the afternoon.

### LAST NIGHT'S SESSION.

A communication was received from the House notifying the Senate of the concurrence in amendments to House Bill No. 9, and a further letter notifying the Senate of the adoption of the reports on Senate Bills No. 2 and 3 and House Bill No. 2.

### LABOR RESOLUTION DEFEATED.

The Kumalae joint resolution providing for increase in pay of laborers to \$1.50 per day was defeated by the Senate. Senator Dickey moved to indefinitely postpone; Kalauokalani to adopt. Senators Baldwin, McCandless, Paris, Achi and Dickey opposed the resolution as inconsistent with public policy. The opposition was based on the ground that the increase in wages would injure rather than help the laborer. It was pointed out that only so much money was available for pay of laborers and that an increase in wages would mean a decrease in the number of men employed. Conditions were such now that a large number of men would be thrown out of employment in case the resolution was adopted. The resolution failed, six to five—vote being on the motion to indefinitely postpone as follows: Ayes—Achi, Baldwin, Dickey, Isenberg, McCandless, Paris, 6. Noes—Crabbe, Kalua, Kalauokalani, Kaohi, Nakapahu, 5.

### RULED OUT OF ORDER.

The Andrade joint resolution asking Congress for Pearl Harbor improvements, coffee bounty, etc., was next called up. Senator Baldwin moved to refer to a committee of three.

Senator Paris raised the point of order that the resolution could not be considered, as not having to do with appropriations. President Crabbe sustained the point of order, and the resolution was killed.

Senator Paris moved that a committee of three be appointed to notify the Governor and House of the Senate's readiness to adjourn. Carried. And the chair appointed Senators Paris, Baldwin and Kalauokalani. At 9:10 the committee reported the action of the House and that the Governor had stated that he had no further business for the legislature but was still considering the Loan bill.

The House communicated its adoption of the Loan bond resolution and another recess was taken.

### THE VETO MESSAGE.

At 10:45 the Senate reconvened and the following veto message was read: A Message to the Legislature of the Territory of Hawaii: I am unable to approve of the following items of Act 18 being "An Act Making Special Appropriations for the Use of the Government of the Territory of Hawaii during the two years which will end with the 30th day of June, A. D. 1905:"

Wharf and Landing, Hilo, Hawaii	\$20,000.00
Homestead Road, Pololu to Honokane	2,000.00
Purchase Police Patrol Wagon and Equipment	1,000.00
Re-locating and re-constructing road, Lahaina to Ukumehame	6,000.00
Road Machinery	6,000.00
Re-constructing and re-locating road, Molokai to Kalihui	5,000.00
Re-constructing road, Nawiliwili Landing to Lihue Post Office	10,700.00
Re-constructing and re-locating road, Nawiliwili Landing to Lihue Mill via Court House	6,500.00
Re-constructing and re-locating roads from Koloa town, including road to Koloa Landing	6,000.00

My objections are as follows: The wharf and landing at Hilo are not necessary at the present time, being now one good wharf there belonging to the government at which ships can lie, and another wharf being under construction by the Hilo Railroad Company of a very large size, which, by agreement with the Government will be open to the public. As to the rest of the items objected to, it appears to me to be an unsound policy for the Government to borrow money for its running expenses for repair work and for objects not of

# POPE TRANSACTS BUSINESS ON HIS DEATH BED

(ASSOCIATED PRESS CABLEGRAMS.)

ROME, Italy, July 10.—Pope Leo was again subjected to an operation today to relieve the pressure on the lungs resulting from a gathering of pus in the pleura. The operation was entirely successful and the patient passed a quiet day. A bulletin issued tonight says that the Pope is resting easily and seems somewhat improved.

ROME, July 10.—The Pope is passing a restless night with occasional sleep. The fact that he takes nourishment encourages the populace but the physicians are hopeless. There is no significant change.

ROME, July 11.—The vitality of the Pope is inexplicable. His mind is wonderfully clear and he transacts business and holds audiences with cardinals. Prolonged sleep today created some uneasiness. The Pope's heart action has improved. Cardinal Satolli says that the life of the aged Pontiff is only maintained by the use of powerful stimulants. Arrangements for the conclave are progressing.

ROME, July 12.—Continued improvement is shown in the condition of Pope Leo XIII.

He was able to participate in the celebration of a mass in a room adjoining his chamber.

Encouraging bulletins are issued from the Vatican. These indicate that his respiration is somewhat ameliorated and the use of oxygen has been discontinued.

The Pope now sits in an arm chair and receives visiting Cardinals, who have been summoned to attend the consistory which will follow his death.

PEKING, July 11.—The conference between the representatives of Japan and Russia over the Manchurian question is fruitless and the war talk is the most violent that has been heard in years.

BARSTOW, Cal., July 11.—Japanese and Mexican laborers on the Santa Fe railroad had a fight today in which four men were killed and fifty injured.

ST. PETERSBURG, July 11.—The government has made 850 arrests at Kishineff, holding 250 of the prisoners for trial. M. Dewitte favors the acceptance of the American petition.

SOFIA, July 11.—Representatives of the powers report terrible outrages by Turkish officers in Bulgaria against both sexes. The Government has rescinded the order calling out the reserves.

NEW YORK, July 11.—There have been fifty-five deaths in two days from sunstroke in this city and several hundred prostrations. Tonight the wave shows signs of having been broken.

RAWLINS, July 11.—Fire again frustrates the work of the men trying to rescue the imprisoned miners.

LEAVENWORTH, Kas., July 12.—Negroes and soldiers engaged in a street row here today. Shots were exchanged and several persons were injured. The soldiers and citizens immediately organized into a mob and declared their intention to lynch the negroes. The police were armed but they had great difficulty in dispersing the mob. Several persons are seriously injured and should they die further trouble is feared. The military officers have been asked to suspend all passes to soldiers at the fort.

BELGRADE, July 12.—The birthday of King Peter was celebrated here today with thanksgiving services. These were generally attended. It is announced that the King will pay a visit to the Czar at St. Petersburg about the middle of September.

A crisis is expected very soon involving the complete reconstruction of the Servian cabinet.

BALTIMORE, Md., July 12.—A heavy wind storm accompanied by a downpour of rain swept over the northern portion of this city today. Fifty houses were unroofed and three hundred people were rendered homeless.

CONSTANTINOPLE, July 12.—Spirited engagements have taken place at several points along the Macedonian-Bulgarian frontier. Both Turkish and Bulgarian officers accuse the other side of having crossed the frontier.

KANSAS CITY, Mo., July 12.—The Missouri fast mail train and an excursion special were in collision just outside this city today. Three persons were killed and not less than fifty were injured.

a somewhat permanent character; for instance, repairing and improving roads already constructed, purchasing road machinery, harness, wagons or horses.

As our successors fifteen years hence will have to pay for this loan, it is just to them that the work for which it is expended should be lasting enough to be of permanent, or at least, of long continued benefit to them.

I therefore return the said Act for your reconsideration of the said items.

SANFORD B. DOLE,

Governor.

Executive Chamber, Territory of Hawaii, July 11th, 1903.

Senator Dickey moved to consider the message item by item. The Hilo wharf veto was sustained unanimously, 9 to 0, and it was found then that nine votes could not pass anything over the veto. On the Honokane road item the veto was overridden, all the Senators voting in that manner.

The patrol wagon veto was sustained unanimously, that of Lahaina road sustained by the vote of Crabbe, the other nine voting to override. The road machinery veto was also sustained unanimously. The last three vetoes were sustained in the same manner. Isenberg said he wanted the Koloa road item to pass, to be on record, notwithstanding the House's action. It got the necessary ten votes.

Secretary Carter notified the Senate of the signing of the two salary bills.

"Where is that little bill of McCandless—the Coney bill?" inquired Isenberg.

"Pocketed, where it belongs," replied McCandless.

The Governor's message of appreciation was then read.

Senator McCandless presented a resolution thanking the President for his impartiality, etc. It was adopted with a standing vote. The resolution of Senator Baldwin thanking all the Senate officers was also adopted.

The reading of the minutes was interrupted by the arrival of Kumalae,

whom Senator Baldwin introduced as "A message from the Governor." Kumalae confused, did not deliver his message.

The journal was approved as read and Kumalae then whispered to Crabbe that the House was ready to adjourn sine die.

Senator Baldwin moved that the Senate adjourn sine die. President Crabbe thanked the Senators for their kindness, and on behalf of the Senate thanked the Governor and department heads for their courtesy and aid. He spoke of the fact that the Senate was a unit; there was no party in the Senate, all was for the good of the people.

After prayer by the chaplain, the Senate adjourned sine die at 11:18 o'clock.

NOT A MINUTE should be lost after a child shows symptoms of cholera infantum. The first unusual looseness of the bowels should be sufficient warning. If immediate and proper treatment is given, serious consequences will be averted. Chamberlain's Colic, Cholera and Diarrhoea Remedy is the sole reliance of thousands of mothers and by its aid they have often saved their children's lives. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

**CHAS. BREWER CO.'S NEW YORK LINE**  
FOONG SUEY  
Sailing from  
NEW YORK TO HONOLULU  
On or about July 15. FREIGHT  
TAKEN AT LOWEST RATES.  
For freight rates apply to  
CHAS. BREWER & CO.,  
27 Kilby St., Boston,  
or C. BREWER & CO.,  
LIMITED, HONOLULU.



## THE AGONY IS ENDED

### Briefs Will End Disbarment Trial.

(From Saturday's Daily.)

Yesterday saw the close of the public submission of both sides of the disbarment case against Abraham S. Humphreys and Frank E. Thompson before the Supreme Court. After the Attorney General had concluded his reply to the closing addresses of the respondents at noon, the court asked for briefs to be filed within five days if practicable.

Mr. Humphreys took the occasion of this routine arrangement to throw a farewell mudball. Mr. Thompson ventured an inquiry as to whether ten days would be agreeable to the Attorney General.

"I will ask no favors from the Attorney General," Mr. Humphreys snapped out and glared at Mr. Andrews.

#### RHETORICAL FIREWORKS.

Mr. Thompson, at the opening of court, spoke in his own defense for about two hours. His style was highly rhetorical with argument interlarded. The opening sentences are a fair example, thus:

"We have traveled a considerable distance in this case, from the public archives of Washington to the alkali plains of Arizona, to the Isle of Tahiti and back again here. Argument has taken us to the shores of the Celestial Empire and within the theatres of that realm, following the pot of gold."

This suit is one of the largest that a lawyer could try. Judge Weaver has kindly conceded that we are not now following the pot of gold, but something infinitely dearer.

#### MAGOON STARTED IT.

The respondent went into the genesis of the case, making out of the charges the result of J. Alfred Magoon having been personally stung in an altercation in the trial of Robert vs. Sumner. Coming down to the Attorney General's part, he said his report condemned and exonerated in a single breath. Geo. A. Davis was condemned because he received \$2500 for working faithfully and hard for his clients. Magoon was bathed in quasi-judicial whitewash. If Magoon's testimony was taken as true it amounted to nothing.

As the matter was sifted down in this trial it came to a question of whom did Humphreys, Thompson & Watson represent, and how did they represent. Mr. Thompson referred to a proposition of the Assistant Attorney General, that, though they were accused of unprofessional conduct in relation to Sumner, yet if found to have been negligent of the interests of the Ellises they should be disbarred.

The prosecution thus had jettisoned their original contention and were providing for ground to stand upon in any event. They did not claim the humane provision of the criminal law which required the proving of charges beyond the shadow of a doubt, but they did claim that the evidence must be clear and satisfactory.

#### BRAKES OFF.

Mr. Thompson broke through all restraint of the traditional calmness of a supreme court when he reverted again to Magoon. Here is an almost verbatim example:

Magoon is the man who brought the charges in this case. Magoon! Moved by the greatest passion possessed by man—the emotion stronger than a mother's tender love—revenge!

Are we to be broken on the rack of this man's contradicted statements, are charges to be sustained against us on testimony of this kind?

Consider the motive of the accuser! Consider the accuser himself!

Shades of poor old Thomas Christley! Shades of Rebecca Pamel! Shades of his own mother-in-law, Julia Afong! Shades of the decent James Love! Shades of that poor little imbecile New England girl who listened to the lying lips of a rapacious perjurer and who sighed away her life on the shores of Wailuku, until at last her rich father purchased her liberty and took her from this Magoon! Appear before us now and tell us of this man—this man who charges us with wrong!

This Magoon, the accuser whose bowels of compassion are made of Manila rope; whose milk of human kindness is but rancorous Limburger cheese; whose religion is rapacity; whose Bible is blackmail; whose golden rule is gluttonous greed; whose prayer is perjury; whose god is gain, and whose creed is calumny.

#### OTHER TARGETS.

Mr. Thompson said he would rather be disbarred at the age of 27 than practice 44 years to become such an exponent of infamy as Henry E. Highton. All the appreciation of professional ethics possessed by Highton could be put into a two-grain capsule and it would then rattle like shot in a tin boiler.

There was more of the same sort and a challenge of Highton's testimony in the face of that of the Ellises, the respondents and others for the defense. Either Highton told the Ellises, Judge Stanley and respondents that the Sumner deed was irrevocable or else he pulled the mantle of his years over his memory.

J. Lightfoot was spoken of as "Magoon's man Friday," but his testimony was claimed by the speaker as corroborating the statements of the respondents.

Wyllie Davis was referred to as "the bum-boatman, the hackman, the saloon keeper, who had to O. K. Magoon's investments under the power

(Continued on page 7.)

## DEFIANCE'S RARE SPEED

### Outsails Everything in Class.

(From Monday's daily.)

A spanking breeze with a rather rough sea for small boats, a number of mishaps which put some of the best yachts out of the running, and a close finish in one race, were a few of the incidents of the yachting at Pearl Harbor yesterday, held under the auspices of the Hawaii Yacht Club.

The early part of the morning was perfect, but towards noon a heavy breeze sprang up, and that it was almost too heavy for the smaller yachts is shown by the dismasting of the Malihini and the capsizing of the Princess; but for these accidents the day was most thoroughly enjoyed by the yachtsmen and a large crowd of their friends who spent the day at the lochs.

Most of the yachtsmen went down on Saturday night, and the 9:15 o'clock Sunday morning train brought the remainder with a crowd of friends. Commodore Clarence Macfarlane entertained a party at his house, and all the Peninsula homes had their quota of visitors. The new club house is not entirely finished, but its lanais were used as vantage points by many, to view the races.

Soon after the train arrived from the city the races were started. The preparatory gun was fired from La Paloma at 9:34 o'clock and fifteen minutes later the starting flag for the fourth class yachts was hoisted on the pole at the Club House. It was dropped five minutes later and the first race was on, the Malolo crossing the line, just ahead of the Skip. Van Valkenberg started third, but dropped out of the race, leaving but two boats in the fourth class.

The Princess and the Myrtle crossed the line first in the third class. Their crossing time was 11:04½. The Malihini, Wiki Wiki and Defiance followed in the order named. There were but two yachts in the first class, Whitney failing to show up with Helene. Gladys crossed the line at 11:15 a. m. and La Paloma at 11:16½ a. m.

Once all the yachts were off, they presented a beautiful sight tacking to the first buoy off Ford's Island. This buoy had been moved further down the channel towards Pualoa, and the buoy off Waiolu had also been moved into deeper water.

Before the boats rounded the first buoy a sudden squall snapped Malihini's mast and the boat was out of the race. Lyle in Mary L. stood over and picked her up, and towed her back to moorings.

The new boat Defiance soon showed wonderful sailing qualities and walked away from the cracks Myrtle and Princess as if they were anchored.

The next accident was off the Waiolu buoy when La Paloma stuck on a mud bank. Capt. Rodman in the Naval Station launch was soon on the spot, but as the yacht could not be moved Commodore Macfarlane and his assistants were taken off. It was expected that La Paloma would be pulled off last night at high tide. Hobron in Gladys went over the course alone, and it was really a race between Gladys and Defiance. These boats were close together over most of the course, but Gladys failed to catch the speedy third racer.

All the yachts went over the entire course twice making a run of twenty-one miles.

Walker's new boat attracted perhaps the most attention. She is without doubt a wonder in the way of speed, and at no time was she hard pressed by the other yachts of her class. The Princess, Myrtle and Wiki Wiki were bunched, until on the second time around off Waiolu, not a hundred yards from where La Paloma lay, the Princess capsized. The crew, Henry Roth, "Rem" Harrison and Douglas Jones, stood by the boat until Cooper's launch reached them. Sam Dowsett in the Dewey offered assistance but it was not needed. The Dewey, which was sailing over the course with the other yachts, broke a throat halyard and her mainsail came down with a run. The slight damage done was soon repaired, however.

On the final run from the Ewa buoy to a line off the yacht club house, the Malolo and the Skip were nip and tuck, at the last moment a gust carried the Skip across the line winner. The finishing time was 2:04½.

Defiance finished at 1:45 p. m. and Gladys at 1:47½ p. m. The time of the first boat was nearly equal to that of Gladys.

Myrtle finished towards the rear end of her class, but this was because she turned back to offer assistance to Princess when she went over.

The racing as a whole was good, and made more than exciting by the numerous accidents, but fortunately no one was hurt.

The starting time of the yachts, and the finishing time of the winners is as follows:

#### FOURTH CLASS.

Malolo—Start 9:54 1-5 a. m. Finish 2:04 1-5 p. m.

Skip—Start 9:54 2-5 a. m. Finish 2:14 1-5 p. m.

#### THIRD CLASS.

Defiance—Start 11:5 2-5 a. m. Finish 1:45 p. m.

Princess—Start 11:4½ a. m. Finish 1:47½ p. m.

Myrtle—Start 11:4½ a. m. Finish 1:47½ p. m.

Wiki Wiki—Start 11:5 a. m. Finish 1:47½ p. m.

Malihini—Start 11:4 2-5 a. m. Finish 1:47½ p. m.

#### FIRST CLASS.

Gladys—Start 11:15 a. m. Finish 1:47½ p. m.

La Paloma—Start 11:16½ a. m. Finish 1:47½ p. m.

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## MILLETT DOES WOODS IN FIVE FAST ROUNDS

### Politics Are on Tap Over There Now.



JOE MILLETT.

### Honolulu's Veteran Favorite is Game on Behalf of Friends---Huihui vs. Latham a Pretty Draw---Maderia Annihilates Mattox.

(From Sunday's Daily.)

Billy Woods stood up gamely against Joe Millett for five of the fifteen-round glove contest, and until the closing passage of the third even made it look as if there was going to be a fight. The old favorite of Honolulu indeed lost none of his friends by anything that happened. This coming up for the fifth round and fighting it out was really a heroic piece of business for the benefit of his friends who backed him to that extent against the powerful "arrival" from 'Frisco. Referee Weday declared Millett the winner when the time came for the gong to sound the sixth. It is believed Woods would have accepted a knockout rather than a given, but High Sheriff Brown backed the evident sentiment of the audience by ordering the unequal bout to cease.

The preliminaries were all interesting in a different way from each other. Mattox was hammered to pieces by "the Punchbowl wonder," Maderia, the punishment being only less summary than the same man received from Millett a few weeks ago. The draw fought by the Chinese "pugs" was more of a wrestling match than a sparring, and if it had been Japanese a limb if not a neck would assuredly have been broken. For a really pretty and intelligent mill nothing better in a long time has been seen than the six-round draw between William Huihui, the native champion, and Soldier Latham.

There was an audience to give joy to the management. It filled the five-dollar boxes and packed the body of the house to repletion. All of the sporting elite was one, including many of the good and great of the community. A section of the Territorial band played cakewalks at intervals so far apart as to elicit many calls for music.

#### THE PRIME EVENT.

Jack Weday acted as referee for the \$1200 a side contest. Woods was introduced as "Pneumatic Billie Woods, the man that made Jim Corbett famous," and his antagonist as "Joe Millett of San Francisco, the coming middleweight champion."

There was a conference committee meeting in the middle of the squared circle and Paddy Ryan was deputed to go forward and make this little speech: "When we signed these articles it was Marquis of Queensberry rules. Now Mr. Woods wants clean breakaway from clinches." The audience cheered for Woods and then the announcement was made: "The contestants have agreed to break clean." Following is a summary of the five rounds fought:

#### SUMMARY OF FIGHT.

1. There were dandy feints by both men all around the square. Woods got in the leading touch, a slap on Millett's ribs taken smilingly. "Woods is no pudding!" was the cry amidst applause. Millett had to accept a smart one on the side of the head, followed by a brisk massager on the body. Millett's rushes now began but ended in neck embraces. Just before the gong he gave one of his fearful right swingers but Woods was not there.

2. Woods accepts a warm swat on the side, succeeded by a glancing head swipe. He advances smiling and escapes a drive by a clever duck. His advances become strong and a good fighting eye catches the sympathy of the house. Millett, however, lands a sickener on the side of the old warrior's head. Two taps in the face are taken, followed by a body clap. Woods replies with a glide up Millett's chin, drawing blood from his lips. The gong averted a mixup then.

3. Woods reaches Millett's body and a strong reply failed to arrive, but a

following light tap was succeeded by a terrific clip on his ear. Millett drove a hot one that barely reached and then took Woods squarely in the chest. Woods ducked from a knockdown, taking a blow upon the body right after. Millett was rushing things just as the gong sounded and the fact that he was master about then dawned upon the most sanguine admirers of Woods.

4. Quick exchanges without hurt either way opens this round. Millett receives two five-fingered compliments in the head in rapid succession, and with a couple of heavy body reachers made Woods stagger. Woods misses in two swipes and next moment is down. Half kneeling with his right hand on the floor he awaits the count of nine and springs anew to the combat. The fight is redhot in his corner for a few fierce exchanges, Woods retreating out of the scrimmage. Millett drives him across that side to the ropes, punishing him fearfully in the face. He had not the chance to save himself by buckling his antagonist, but the gong relieved his desperate situation.

5. Woods, with two eyes in chancery and the right one bleeding profusely, once more came gamely forth. The rushes were mutually fierce but every meet brought fresh penalties to Woods. Millett is not a mite fagged, while his face is scatheless and cheerful. The marvel is how Woods keeps his pins, yet he not only does it but gets in the last touches of the round. Millett takes one in the chin and another in the breast just before the gong rang.

6. It was easily seen that Woods was done for, though, if the fight had not been declared Millett's at this stage, there was every appearance that the veteran would have answered the gong again for his friends, who a little earlier changed stakes and made them higher on the proposition that Woods would stay through the sixth instead of the fifth.

## RAINY CITY DAY BY DAY

### Politics Are on Tap Over There Now.

HILO, July 10.—"As soon as I return from Waimea," said John Baker to a Tribune Representative yesterday, "I shall inaugurate a movement which I believe will have an important bearing on the choice of a successor to Governor Dole. Governor Dole will be out in less than year and it is time something should be done to ascertain the choice of the voters of Hawaii regarding his successor. I believe," continued Mr. Baker, "that the President of the United States will give some heed to the wishes of the people of Hawaii. I propose that every voter be given a chance to sign a petition asking the President to appoint the choice of the petitioners. I want to send a petition to the President; one to the House of Representatives and one to the United States Senate. I want the President to know whom we want for Governor. We want the best man and I believe the wish of the majority of the voters of Hawaii will be conclusive proof of who that man is."

"I shall make a tour of this island first and explain to the Hawaiian people my object. I shall urge them to sign for the nomination of a good, honest, reliable man. Whoever seems to have the lead, providing he is a good man, and a man who will not forget the Hawaiians, will be the man I shall work for. I want the people to unite. I want to send petitions to Washington bearing thousands of names. After we cover Hawaii, we will circulate the petitions throughout all the other islands. Citizens, regardless of color will be asked to sign. I believe we can show the President whom we want."

"Who is your choice?" "The best man," said Mr. Baker. "I do not believe we should seek to have the President appoint an Hawaiian. But we want a white man who regards the rights and feelings of the Hawaiians. I could name a few white men whom we do not want, but I prefer to wait and find out the popular will."—Tribune.

#### SCHELLBERG LEAVES.

L. E. Schellberg, principal of Ahualoa School, Hamakua, has sent in his resignation to the Department of Public Instruction and has accepted a position in the Interstate Commerce Commission, Washington, D. C. Mr. Schellberg is not only one of the able teachers of this island but is also a Notary Public, Secretary of the Honokaa Republican Club, Secretary and Treasurer of the Honokaa church and President of the Hamakua Teachers' Association.

He was formerly a cadet at West Point but was discharged on account of physical disability in 1898. He came to Hawaii during the same year and began teaching in 1899 and has taught until the present time.—Tribune.

#### NEWS NOTES.

Court was convened at Honokaa Wednesday by Judge G. F. Little. The civil docket was taken up at once and assignment of cases made. Yesterday the Grand Jury was impaneled.

D. A. Loebenstein and bride and Miss Etta Loebenstein were passengers by the Falls of Clyde.

The match race between Defender and Rejected, talked of for next Saturday, has been declared off.

As an aftermath of the accident to Molle Connors at the track Friday it is believed that Bob Ballentyne will accept the offer to sell her for breeding purposes.

The concrete work in the new water works reservoir is about half completed.

Misses Ivy and Ruth Richardson, accompanied by Miss Dwight, are home for their summer vacation.

A. Lindsay, manager for the Hilo branch of Theo. H. Davies & Co., came home by the Kinku from a two months' leave of absence.

Judge Little, Clerk Daniel Porter, Bailiff Silva and Miss Stein, court stenographer, left early Monday morning for Honokaa to hold court.

Mrs. A. G. Curtis has resigned from the principalship of the 12-mile school. Mrs. F. M. Wakefield will be offered the position with Miss Chung of Maui as her assistant.

Mr. Erickson with a corps of workmen is tearing down the old Waiakae bridge. The new bridge has been shipped and will be erected in place immediately after its arrival.

The Superintendent of Public Works has decided to call for bids for repairing Volcano road. Mr. Oere has been instructed to prepare the necessary plans and specifications at once.

## LAHAINA MUST BE A CLOSED PORT

In answer to an appeal made by H. Hackfeld & Co. to the Treasury Department some time ago that the port of Lahaina be continued as a port of entry until December 31, 1903, the following letter has been received by Collector Stackable, from L. M. Shaw, Secretary of the Treasury:

Replying to your letter of the 12th instant, enclosing a communication from Messrs. H. Hackfeld & Co., requesting that the sub-port of Lahaina, in your district, be continued until December 31, 1903, you are informed that the authority contained in Department letter of the 23rd ultimo for the abolition of this sub-port, to take effect at the close of business on June 30, 1903, will be allowed to stand.

## TO CARRY OUT ALL NEW LAWS

### Executive Heads Prepare for Action.

(From Monday's daily.)

Work by the Executive heads of Departments looking to the carrying out of the wishes of the Legislature will be taken up at once and no time will be lost in getting together upon the methods and men.

Treasurer Kepolka has given much consideration to the matter of the bond issue and it is expected that there will be steps taken immediately looking toward the execution of the securities and the advertising for tenders for the principal portion of the issue. The bonds will be engraved on steel rather than printed from stone on photo plates, and there is a chance that the system followed by certain trust companies in listing securities will be availed of by the Territory.

There is some comment upon the resolution passed asking and authorizing the issuance of bonds of \$100 denomination, to the amount of one-third of the whole loan. Those bonds if so issued would almost surely have to be taken up at home, for such small denominations do not appeal to foreign investors. The larger the bond the better it is liked in Chicago, New York and Boston. Trust funds are usually invested in such bonds and the danger of breaking up holdings by calls, if small bonds are purchased, is too great. It seems doubtful if \$800,000 of bonds could be absorbed at the rate of interest provided, when plantation six per cent gold bonds are selling at par.

Secretary Carter is already at work upon the organization of the work of advertising, as contemplated in the appropriation placed under his department. This item was secured practically by the work of the Joint Tourist committee and a meeting will be held soon, at which that body will talk over with the secretary the plans which have been formulated. Strangely while the \$30,000 for St. Louis is placed under Superintendent Cooper for six months it is under Secretary Carter for the longer period. Those officials, it is understood will meet in consultation with the Hawaii Exposition Association soon and plans will be formed.

Judge Weaver of the Land Registration Court, it is said, will name Stenographer Thellen of the House as the court reporter.

There is considerable talk over the Deputy Insurance Commissioner, but nothing definite seems in the air.

As for the Public Works plans are being prepared and as soon as there is money at hand the various works will be rushed along. There being no Assistant Superintendent will delay matters, as an engineer will have to be employed to do detail work for each item of improvement.

## WAILUKU WILL HAVE RACING

At a meeting of the Maui Racing Association on Wednesday evening it was decided to give a high class special race meet at Spreckels Park on the 12th of August. This is a move which had been in contemplation for some days and both Honolulu and Maui horsemen are eager to take part. Some of the fastest trotters and runners in Honolulu including Cyclone and Racine Murphy are practically booked to come besides other good horses. As the purses are built on a liberal scale, it is believed that some horses from Hawaii may come. The program is fairly well balanced, the races being as follows:

Wailuku Purse—\$100. Pony race, 14.2 or under, half mile dash; catch weights.

Puunene Purse—\$200. Trotting and pacing to harness. Mile heats, best two in three, 2:30 class.

Waikapu Purse—\$100. Running race. Three-fourth mile dash, free for all.

Lahaina Purse—\$150. Running race. One mile dash, for Hawaiian bred.

Maui Hotel Purse—\$250. Trotting and pacing to harness. Mile heats, best two in three, 2:30 class.

Kahului Purse—\$100. Running race. Half mile dash for Hawaiian bred.

Maui Merchants' Purse—\$150. Running race. Half mile and repeat, free for all.

Bismark Stables Purse—\$250. Trotting and pacing to harness. Mile heats, best two in three, free for all.

Telikoku Purse—\$100. Japanese running race. One mile dash, free for all.

Japanese owners and riders.—Maui News.







## THE LAST SAD RITES WERE SAID Large Concourse at Kawaiahao Church.

Kawaiahao church was filled with the concourse that assembled at 4 o'clock yesterday afternoon for the funeral services over the remains of the late Judge Wilcox, a great crowd also being gathered in the churchyard and approaches to the historic edifice. Much the larger proportion of the assembly consisted of native Hawaiians, though there was a representative attendance of people whose activities are in every great division of the globe. That the community at large should thus join in the last tributes of respect to the departed worthy was to have been expected from the general tokens of public mourning displayed during the day. Flags were at half-mast upon all of the Territorial public buildings as well as floating from private flagstaffs all over town and the masts of inter-island steamers.

The pulpit platform and the floor adjacent were transformed into a beautiful garden with palms, ferns and flowers, interspersed with numberless floral emblems of earthly esteem and immortality. There was a large cross of white flowers standing over a beautiful work of polished wood and crystal lid of oval form. Palms and ferns were placed on either side of the entrance to the auditorium.

Rev. H. H. Parker conducted the services, which consisted of the singing of hymns, reading of Scripture and prayer. There was no discourse, but Mr. Parker made tender allusions to the departed in his prayer offered in English. Rev. Kamaeikiwoole of Hamakua, Hawaii, read a portion of Scripture and offered prayer, both in Hawaiian. The second hymn was "Nearer my God to Thee" and it was sung beautifully in Hawaiian by Kawaiahao church choir.

At the close of the services the Territorial band, in the churchyard, played sacred tunes while the funeral procession was being organized. High Sheriff A. M. Brown, Deputy Sheriff C. P. Chillingworth, Senior Captain Parker and Deputy Sheriff A. McGurn assisted at the church door as ushers and outside in regulating the arrangements.

The widow was supported by her brother-in-law, Senator S. W. Wilcox, in leaving the church. Geo. N. Wilcox and Mrs. Henry Wilcox came next, followed by Mr. and Mrs. A. O. Smith. The pall-bearers were: W. O. Smith, president of the Hawaiian Bar Association; A. M. Brown, High Sheriff; Henry Smith, Chief Clerk of the Judiciary; Wm. Henry, warden of Oahu prison; Wm. R. Castle, Chas. Lucas and David Dayton. A platoon of police acted as body-bearers and guard of honor. The line of carriages following the hearse extended back to the church from below Capitol square. Intermment was in Nuuanu cemetery, where the services were simple and the band again played.

Among those noticed in attendance were Governor and Mrs. S. B. Dole, Treasurer A. N. Kopoiki, Secretary G. R. Carter, Attorney General Lorrin Andrews, A. T. Atkinson, Superintendent of Public Instruction; Dr. C. T. Rodgers, Secretary of the Department of Public Instruction; Justice A. Perry of the Supreme Court, Judge M. M. Estee of the U. S. District Court, Judge J. T. De Bolt of the First and Judge W. S. Edings of the Third Judicial Circuit, U. S. Marshal E. R. Hendry, Collector of Customs E. R. Stackable, Judge P. L. Weaver of the Land court, Tax Assessor Pratt, former Attorney General E. P. Dole, Prince David Kawanakoa, Hon. Sam. Parker, Rev. O. H. Gulick, Rev. O. P. Emerson, Henry Waterhouse, P. C. Jones, Gardner K. Wilder, Thos. W. Rawlins, Oliver Stillman, Alex. Young, Arch. A. Young, C. von Hamm, Chris. Holt, M. P. Robinson, Jas. Lyle and wife, Andrew Brown, Geo. P. Castle and wife, John Nott, J. D. McVeigh, W. Macfarlane, Fred. Wundenberg, H. J. Nolte, Miss Nolte, M. D. Monsarrat, August Ahrens and wife, Capt. John Ross, P. Muhlenberg, Eben P. Low, Henry Holmes, W. M. Langton, Col. W. F. Allen, A. G. M. Robertson, Mrs. L. A. Coney, W. H. Coney, August Dreier, T. J. King, E. S. Cunha, F. J. Testa, Henry Hogan, Dr. N. B. Emerson, W. L. Stanley, Enoch Johnson, W. C. Parke, Chester A. Doyle, A. C. Lovelock, Arch. Sinclair, John Holt, Sam. C. Dwight, T. R. Lucas and wife, Mrs. W. F. Drake, M. T. Simonton, Henry E. Highton, J. A. McCandless, F. A. Schaefer, Judge A. S. Hartwell, U. S. Commissioner E. A. Douthitt, J. Lightfoot, Judge C. F. Hart, Dr. Clark, Albert Raas, Registrar Thos. G. Thrum, C. W. Booth, J. A. Magoon, Captain, F. D. Walker, A. R. Cunha, Jos. G. Pratt, J. D. McInerney, C. L. Rhodes and wife, W. J. Forbes, J. F. Humburg, Senators H. P. Baldwin, D. P. R. Isenberg, J. D. Paris, Palmer P. Woods, W. C. Achi and Nakapahu, Reps. S. F. Chillingworth, C. A. Long, Frank Andrade, R. W. Aylett, E. A. Knudsen, F. R. Greenwell, J. K. Gaudin and J. D. Lewis, Geo. G. Beckley, C. W. Ashford, Edmund Hart, Wm. Blaisdell, Gus. Rose, Sam. Nowlin, S. K. Ka-ne, J. W. Girvin, Col. J. H. Soper, Major J. C. Potter, A. F. Cooke, Capt. Wm. Tell, H. F. Bertelmann, F. M. Hatch and A. G. Correa.

## BENCH AND BAR RECOGNIZE LOSS

All of the courts having occasion to open yesterday recognized the public loss sustained in the death of First District Magistrate W. Luther Wilcox by adjourning out of respect to his memory.

IN THE FEDERAL COURT.  
District Attorney R. W. Breckons, on the opening of the United States District Court, moved that the court adjourn out of respect to the memory of the late Judge Wilcox. He said the deceased was an old-timer and a man whom the entire community would miss.

A. G. M. Robertson seconded the motion with a few appropriate remarks. Nobody had understood the people of these islands and their language better than Judge Wilcox. As interpreter in the legislature and the higher courts and as chief city magistrate his services to the public had been equally valuable.

Judge Estee said: I did not have the pleasure of knowing him as well as some, but Judge Wilcox was one of the few men on the bench or off the bench that I have known whom very few people spoke against. In my opinion he was one of the best men the population of these islands has produced. He was one of the most popular men in the islands and he was popular because his impulses were right. He seemed to grasp a point very quickly. Judge Wilcox was one of the few men who could send a man to jail for six months and not have the man apparently feel bad about it. He convinced his audience and the parties that he was right in carrying out the law and was punishing a man merely because the law required it. Moreover, Judge Wilcox was one of the most useful men this Territory has produced and the court will adjourn out of respect to the man as well as the judge until 10 o'clock tomorrow.

BEFORE JUDGE DE BOLT.  
First Judge J. T. De Bolt, of the First Judicial Circuit, ordered the days chambers calendar continued with remarks in part as follows: "This city—this Territory—in the demise of Judge Wilcox, loses a valuable citizen and a noble man. There may be men of greater natural ability and of greater education, but Judge Wilcox's equal in work, stability of character, common sense and fairness would be very difficult to find." Judge De Bolt spoke of Judge Wilcox's intimate knowledge of the Hawaiian people, also his intuitive discrimination between right and wrong, concluding: "As an interpreter he understood the meaning of the Hawaiian language better than anyone else. As a magistrate he always tempered justice with mercy. He was the Hawaiians' best friend and commanded the respect and admiration of all."

Judge W. A. Whiting expressed his sorrow at the public's loss and said the experience of Judge Wilcox as interpreter and magistrate, with juries, witnesses and offenders, made of him a natural lawyer. The judges often asked him for advice and from his knowledge of the Hawaiian habit of thought, his counsel led to the tempering of justice with mercy in the case of a poor native transgressor. He possessed the happy faculty of interpreting thought as distinguished from translating words. His superior as a magistrate would be hard to find. Judge Wilcox would be a happy memory to all who had enjoyed the privilege of his acquaintance.

A. G. Correa said: "The bar and the community have lost one held in all hearts as a just judge and a valuable citizen. From the bench he dealt mercy with justice. He was ever willing to help those in need and never had an ill word for anybody. On the contrary he always spoke well of all men. We cannot replace our loss. The public and the courts have sustained a great loss."

J. M. Vivas, formerly Portuguese interpreter, said: "Judge Wilcox was faithful to his duties, a valuable public servant and a firm friend to the Hawaiians. I was his colleague as an interpreter for eight years and had the opportunity to know the character of the man. His conduct was ever the same whether he was acting officially or otherwise. When he became a judge he did not change toward his friends. The greatness of his soul was always clearly expressed. We can feel nothing but the deepest sorrow in our hearts at his demise."

BEFORE JUDGE GEAR.  
Judge Gear opened court only to adjourn it with the following remarks. After an expression of sorrow at the news of Judge Wilcox's death and a statement regarding his identity with the life of the Hawaiian people he said: "Never have I heard a word against Judge Wilcox. No one so well acquainted with universal respect. He was a rough diamond—and I do not say that to imply that he was not highly cultured—for he possessed all the attributes of a man. The news of Judge Wilcox's death struck me with pain. It is fitting, it is the least we can do, to adjourn out of respect to the memory of the man who not only lived in this community, but in the hearts of all who make up this community—and in these hearts he will continue to live."

IN THE DISTRICT COURT.  
In the Honolulu District Court, over which the late Mr. Wilcox long presided as First District Magistrate, many speakers extolled his memory. Judge Davis, who was called to that bench during Mr. Wilcox's last illness, recalled the kindness of the departed magistrate to himself when he committed him for contempt, allowing him to finish up his cases before enforcing the penalty. Among other things he said further was that Judge Wilcox refused to be dictated to but formed his own opinion from experience and observation.

J. L. Kaulukou said that Judge Wilcox's place among the native Hawaiians could never be filled.

W. O. Smith spoke of the Judge's fortitude in facing death, shown when the speaker talked with him about his affairs. In part Mr. Smith said:

"Judge Wilcox was always a faithful servant. He was a faithful and

(Continued on page 5.)

## DEATH COMES PAINLESSLY TO JUDGE WILCOX

(Continued from page 1.)

tween times assisting the courts. Wilcox's knowledge of Hawaiian terms made him invaluable as an interpreter and it was with much regret on the part of the judges that his energy was directed in another channel.

He was appointed police judge under the local law in 1897, having been deputy under Judge Perry previously. Has occupied the position of magistrate continuously ever since. He was recommended for two years last year. Wilcox's knowledge of the Hawaiian race stood him in good stead on the bench. He brought to his court also a rare insight into human nature. His judgment was unerring and the punishment he inflicted just. Judge Wilcox never studied law in its strict sense, but his knowledge of the law was yet wide. The common sense with which he administered justice made up for any deficiency he may have felt in legal technicalities. His ability won for him admission to the bar.

Wilcox's wit was one of the enlivening features of otherwise dull police court sessions. Humor was dealt out liberally with his decisions, but they were none the less forceful because of the unique punctuation. He was merciful as well as just. Even those he sent to prison loved him. He was a staunch defender of the fair sex, and little mercy was shown to those who abused women. When possible he settled family disputes which otherwise would have ended in the divorce court. In all his long career on the bench Judge Wilcox made but few enemies, and not only throughout the islands will his death be felt as a severe loss, but even those who had the misfortune or perhaps good fortune to have been judged by him will miss him sorely.

Judge Wilcox was married about ten years ago to Kahula, a highly respected Hawaiian woman whose home was on Molokai. She survives him. There are no children.

Judge Wilcox was also engaged in the manufacture of poi, and his place in Kalihii was a model institution of its kind. He was also an enthusiastic yachtsman, and it was upon some of these yachting cruises that he became famous as a story teller. He had an apparently inexhaustible fund of good stories, most of them gained in his long experience in public life. And he could tell them better than they came to him originally.

But a true estimate can be put upon him only by one who has known him intimately from boyhood. W. R. Castle and Judge Wilcox grew up together almost from babyhood.

### ESTIMATE OF A FRIEND.

"Judge Wilcox was born about fifty years ago, he is a little younger than I," said W. R. Castle who has known him since babyhood last evening. He had the room adjoining mine at Punahou in 1867 and 68. That was the only school education he had I think. He was taught by his father at home. His father Abner Wilcox was sent here as a missionary teacher. Both his father and mother went to the states, and while there, at their home in Winsted, Conn., they were taken sick and died within an hour of each other. Young Wilcox felt that he ought to be doing something for himself, and as he was an excellent Hawaiian scholar, I suggested to him that he try to get a position as interpreter in the courts here. He was a very modest man and didn't believe that he had the requisite amount of knowledge, but finally was persuaded to offer himself for trial. One trial was sufficient, he made an admirable interpreter; he had a very thorough knowledge of the Hawaiian language, as well as a thorough knowledge of the Hawaiian people, their customs and ideas. Then he had a very shrewd knowledge of mankind—of people in general. He had a keen insight into human nature, there were very few that so thoroughly understood the people here. That intuitive sense of people made him the strong man he was. It was in 1868 or 1869, that he became interpreter and he has been in the service of the government either as interpreter or judge ever since. He was for many years interpreter in the legislature and there has never been a better one. My acquaintance with him has been close and intimate and I have never known him to fail in understanding a person who was testifying at a trial or to make a mistake. Rather he put the words clearer than the witness could have done. This trust was often illustrated in the legislature and they would take things from him which they would not from anyone else. On one occasion a native member talked for ten minutes. Wilcox interpreted and stood up for only about one minute. The member got up and said: 'I talked longer than that.' 'Oh yes,' replied Mr. Wilcox, 'you talked longer than that but I interpreted all that you said.' And it was true—he had a remarkable faculty for putting it in pithy manner. He was what you might call a brilliant interpreter."

### HIS CAREER AS A JUDGE.

"I think the community was well acquainted with him as a district magistrate, and I am sure everyone admired his ability there. As a judge of facts and for putting the real weight to the offenses of people brought before him in their proper position he was almost unequalled. He was possessed of a humane and tender nature, though perhaps often his language was rough. Up to the very last he did what he could both officially and privately to benefit the Hawaiian people. He was not in favor of making them objects of charity or of pauperizing the people, but he wanted to give them opportunity to become manly and to put them in a position to earn a straightforward, honest livelihood instead of becoming mere hangers-on."

### HIS SENSE OF HUMOR.

"Everyone knows the sense of humor the man had—it was often seen in the right place in the police court. He had an abiding sense of the fitness of things, his wit was never shown in an untimely or imprudent way, but it was put in such form as to enliven the dullness of the police court proceedings very much indeed."

"He was married to Kahula, a very estimable Hawaiian lady of Molokai. She was well connected there—a niece of Sol. Kupieha who was the leading man on Molokai. The marrying of a Hawaiian brought him into still closer contact with the Hawaiians and had a good influence in giving them greater confidence in him."

### THE LOSS TO THE COMMUNITY.

"His death will be a great loss to the community, and a great loss to that particular position in the Honolulu police court. It will be very hard to replace him with a man so well able to deal with the lower life of Honolulu."

"He never studied law, but was admitted to the bar as a complement to the skill and ability in which he conducted the business of the police court and the knowledge he gained of the law through his many years of interpreting. It was impossible for a man like him to spend so many years as interpreter in the courts and not acquire a considerable knowledge of the law."

### HOW HE HELPED THE HAWAIIANS.

"Outside of his position as judge he also for many years carried on the business of poi manufacturing. It was not a business that enriched him but it was a Godsend to the natives who at many times were unable to get anything except from his factory."

"It is worth while to say, in connection with his position as a public man, that his influence was always in favor of education—a good type of morality and sobriety. His personal habits were always very temperate, and he was never a drinking man. He was once a member of the Fort Street Church, but afterwards quietly withdrew, but not because he didn't believe in Christianity, for his whole life showed that he was a Christian and favored Christian education."

### WAS WITHOUT FEAR.

"Judge Wilcox was always a very self possessed man and perfectly brave. He was not afraid to express his opinion, though

(Continued on page 5.)

## A TRIAL BY COURT MARTIAL

Sergeant J. H. Miller was tried by court martial last evening for absenting himself without leave from his company during the camp of the First colored man didn't seem a bit worried over the seriousness of the charge, and rather took the matter as a joke. He was a volunteer and went through the Philippine campaign and when he left the court room remarked quite audibly "These tin soldiers make me tired."

The court was appointed by Col. Jones, Lieut. Colonel Ziegler was President, and Major Wall and Captain Rose were the other members of the board. Captain J. A. Thompson acted as judge advocate, while the accused appeared for himself. He didn't seem to think any defense was necessary. He said he was sick and busy, and didn't want to lose his job at the postoffice by returning to camp.

The charges and specifications read by Captain Thompson alleged that the accused broke his furlough, being absent without leave from 6 p. m. on June 11th until 6 p. m. on June 14th.

The judge advocate suggested that perhaps Miller might want a continuance as he had only been served with the charges during the day, and then had asked that the matter be postponed. The court martial was open but everyone was excluded from the room while the court deliberated upon whether the accused should have a continuance or not.

When the defendant was recalled Col. Ziegler asked if a postponement would do him any good.

"I ain't asked no postponement," replied Miller. "Still I rather think it is late in the day to give me a copy of the charges. Guess you might just as well go on though, I may have to go somewhere else some other evening."

Lieutenant Melin of Co. "C" of which Miller is a member was first called. He was examined by Thompson. He said that Miller was absent on the 11th but was under the impression that he had been excused by Major Riley because he was sick. He had not seen him since, though he might have been there on the last day of the camp. He had not answered to roll call, though witness was not sure.

Miller conducted the cross-examination of his lieutenant and asked if he hadn't been regularly excused from duty on the night of June 10th. Melin thought he had.

"Did I have charge of the kitchen on the 11th and 12th?" the accused then asked the officer.

"You were supposed to have."

"Now I object to that answer, say yes or no," said Miller.

"No then, you wasn't there, you were detailed to take charge of the kitchen during the camp."

In reply to a question from the president, Melin said that the whole regiment had been excused from duty on the 11th, which statement Ziegler questioned. The lieutenant insisted however that guards and all were excused that day.

Lieutenant Santos was called and testified that he had granted Miller permission to go the first night. He saw him on the 12th at camp but knew he wasn't present when the camp broke up.

Col. Ziegler inquired sharply, why Santos, as commanding officer of Co. "C" didn't know when his non-commissioned officers were not present.

"I don't know," was the reply, "I had so much to do."

Witness also said there had been roll call the first few days but not after that. When Miller did not answer roll call he was simply marked absent.

"Did you prefer charges against me?" Miller asked this witness.

"No."

"Do you know who did?"

The court wouldn't permit the last question, saying that had nothing to do with it.

Major Riley testified that he had excused some one just before dark on the 11th, but didn't recognize the accused.

Col. Ziegler asked that Col. Jones be called as witness but Sergeant Miller objected, saying that he had preferred charges and couldn't testify against him. The objection was sustained.

"I am willing to submit the case on the evidence," the accused said, "Melin says he didn't see me, and Santos says he did. Melin says he detailed me to duty in the kitchen and Santos says he did it. The charges say I was absent without leave and my commanding officer says he granted me leave. There was no truth in what Lieutenant Melin said."

"I would like to know whether it is customary to have an audience outside at a court martial?" the accused asked the court.

"It is in the discretion of the court and the court has decided that this will be an open session."

Miller wanted to know from the judge advocate, if that was true, but Thompson referred him to the court.

"I thought you were the court," said Miller. "I ask then that this be made a closed court," he continued. "This man has been here long enough," pointing to the Advertiser reporter, "I don't want him here any more."

"This is an open court," said Colonel Ziegler, "just the same as a civil court and anyone that behaves himself can stay here."

Miller then began to answer questions put by the judge advocate and president of the court. He said he had turned out with the camp but had the backbone and was excused by Lieut. Santos and no specific time had been mentioned for his return. He said he had found it impossible to find the doctor.

"But there was a hospital there," Col. Ziegler suggested.

"I couldn't find the hospital tent," replied the accused. "I was too sick to exert myself and the way the camp was fixed up I couldn't find anything."

"Where was you the twelfth?"

"I don't know."

"Were you in town the thirteenth and fourteenth?"

"Yes, but I was too busy to go out to camp, I thought the captain knew about me being sick."

"Were you sick abed?" asked the

## LITIGATION NOW OVER

## Particulars of the Deal With Navy.

Captain Rodman received word yesterday from Admiral Bradford, the Chief of the Bureau of Navigation, that the compromise between the Honolulu Plantation Company and the Navy Department had been accepted. The matters in dispute were settled according to the terms which were agreed upon at a conference held in San Francisco recently, between Admiral Bradford and Attorneys Silliman and Hatch for the Plantation. Only the ratification of the Navy Department was needed and this has now been had.

There are eleven conditions in the compromise. The Honolulu Plantation obtained judgment for \$103,500 for a thirty year leasehold on 561.3 acres at Pearl Harbor, but according to the compromise the plantation company receives \$75,000 in cash and is allowed to retain possession of land now planted in cane until May 1, 1909. Buildings belonging to the plantation are to be removed, and none of the plantation's agents are to go upon the land save for agricultural purposes, and that only during the working hours. The Navy Department however retains the right to take possession of any part of the land that may be required by an emergency. Title to the land is to be vested in the government and judgment must accordingly be entered. The government also retains the exclusive right to all water from wells on the land, but the surplus not used by the government may be used by the plantation.

Admiral Bradford while in the West selected the sites for several naval stations other than Honolulu and as with the one here, it seems that he has been having some trouble in acquiring land where it was needed. The San Francisco Chronicle has the following to say concerning Admiral Bradford's trip to the Pacific Coast, and also touches upon the Honolulu matter then unsettled.

While in San Francisco, he made an effort to acquire title to Mission rock, San Francisco bay, the place being desired for a coaling station. The owners of the tide land around the rock asked a higher price than they originally named and gave no evidence of acceptance of the Government's views of its value. Rear Admiral Bradford will recommend that negotiations for Mission rock be dropped and that another site be selected on California City point, opposite Angel Island. Admiral Bradford also selected site for a wireless telegraph station on Point Bonita.

Another matter engaging his attention related to the acquisition of a coaling station at Pearl harbor, in the Hawaiian Islands. One owner of part of the proposed site, a Honolulu planter, has been loath to come to the Government's terms, and it took three suits in the civil courts and the threat of a fourth before representatives of a company would make what the department regarded as a fair proposition. This was obtained by Admiral Bradford while he was in San Francisco and he has brought it back to the Navy Department with an endorsement recommending its acceptance. It is probable the deal will now go through.

## STACKABLE WINS IN BEAN CAKE CASE

The appeal of Wing Sing Wo and others against the decision of the Treasury Department on the question as to whether bean stick, bean cake, and potato cake, came under the head of prepared vegetables has been settled by the Board of Appraisers at New York. The settlement of the case changes the duty on these articles from 40 per cent to 20 per cent ad valorem. Collector Stackable held that bean stick was not a prepared vegetable, and although the Treasury Department thought otherwise, the case was taken before the Board of Appraisers and evidently they looked at it the same light as did Collector Stackable for the duty has been changed.

Bean stick is an article used in soups and is prepared by making a paste of a certain kind of bean, and after putting it through various processes, it is allowed to harden, when it becomes very brittle. According to the Treasury decision in this matter bread might be called wheat, and the Collector here considered that the bean stick and other articles mentioned could not be called prepared vegetables, inasmuch as the prepared article had no resemblance to the original vegetable.

.....

"No, but I was sick enough to be abed."

"Were you in the doctor's care?"

"No, under my own care. Now to tell you the real facts of the matter. I had to look out for my job. There was ten days' mail at the postoffice all piled up and I had to work like a slave to clear it up. Santos told me it was all right to go and he told me afterwards it was all right. I wasn't going to lose my job."

There wasn't any more argument and the court went into executive session. The findings will have first to be reviewed by Col. Jones before they are made public.



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it has been too much a fashion to employ mercury,  
sarsaparilla, etc., to the destruction of sufferers' health  
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whole system through the blood, and thoroughly  
eliminates all noxious matter from the body.  
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those suffering from the enervating influences of  
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COUNTY ACT  
ON APPEALAttorney - General  
Takes Formal  
Action.

(From Saturday's Daily.)

Notwithstanding its two sittings a  
day for nearly a fortnight in hearing  
the disbarment case, the Supreme  
Court has found time to file a decision  
in a case submitted on February 25  
last. This is the ejectment suit of  
John H. Estate, Ltd. vs. R. Kahinu  
Mele, in which judgment was rendered  
for the defendant on a jury ver-  
dict.

An appeal was taken on different  
grounds, the main one being "that the  
court erred in refusing to direct a ver-  
dict for the plaintiff on the ground  
that a prima facie case of adverse pos-  
session had not been established and  
that the verdict is contrary to the law  
and evidence." The Supreme Court  
unanimously, in an opinion written by  
Justice Perry, affirms the judgment.  
J. A. Magoon and J. Lightfoot ap-  
peared for plaintiff, Robertson & Wilder  
for defendant. The law of the case is  
thus stated:

"The evidence in the case held suffi-  
cient to support a finding that the pos-  
session of certain land by the defend-  
ant and her predecessors in interest,  
even though permissive at its incep-  
tion, was, for more than twenty years  
next preceding the commencement of  
the action, hostile and under such cir-  
cumstances as to bring home to the  
true owner notice of its adverse char-  
acter."

Plaintiff claimed under John H., to  
whom a royal patent, based upon a  
Land Commission award, was issued in  
1875. Defendant claimed under Ehu,  
who obtained a Land Commission  
award in 1851, and the piece in dispute  
adjoins the land covered by that  
award. The evidence supported find-  
ings that Ehu and his successors al-  
ways treated the disputed portion in  
the same manner as the land in Ehu's  
award, that the two portions were re-  
garded as constituting but one piece  
and were enclosed within one fence,  
that Ehu thought that in securing the  
award he had obtained title to the  
whole piece, that Ehu and his suc-  
cessors had continuously maintained a  
fence around the premises which was  
originally of rough Hawaiian timber  
and later of imported materials, that  
the only dwelling on the premises  
stood on the disputed portion, that  
two successive grass houses were suc-  
ceeded by a modern dwelling on the  
same spot, that the occupation of the  
premises was in all respects that of  
an owner, that Ehu was not a ser-  
vant of the konohiki, that neither Ehu  
nor any of his successors ever paid  
rent in money or labor or otherwise,  
and that beginning with 1878 the de-  
fendant and her predecessors paid the  
taxes on the land. Besides there was  
some slight evidence that in 1870 the  
owner of the ahupuna recognized the  
defendant or her predecessors as the  
owners of the premises in question.

**LANAI RANCH LITIGATION.**  
Two documents were filed yesterday  
in the equity bill for accounting of  
Frederick Harrison Hayselden, admin-  
istrator under the will of Walter Mur-  
ray Gibson, against William H. Pain  
and Elise V. Neumann, executrix un-  
der the will of Paul Neumann. One  
was an order by Judge Gear giving  
Pain fifteen days from date in which  
to file an answer, the other the an-  
swer of Mrs. Neumann.

Mrs. Neumann, among various ad-  
missions and denials of allegations,  
denies that any of the profits and  
benefit from the Lanai ranch con-  
veyed to Pain and her late husband  
were ever received by Paul Neumann,  
and that Pain was acting for himself and  
Neumann in operating the ranch, but  
alleges that Pain was assuming to act  
for and on behalf of all the parties  
in interest. She admits that Pain or  
Neumann did not render an account  
of the ranch business, but alleges it  
was impossible for her husband or  
herself to do so because the matters  
were within the sole knowledge of  
Pain, who had never rendered any ac-  
count to Paul Neumann or herself.

Finally, Mrs. Neumann denies that  
she is indebted to the complainant in  
a large amount of money or in any  
sum whatever, and asserts that she is  
ready and willing to have an account  
taken as prayed for. Wherefore, she  
joins in plaintiff's prayer for an ac-  
counting by decree of court and asks  
that she may have her costs.

## COUNTY ACT APPEAL

An appeal has been filed by At-  
torney General Andrews on behalf of  
plaintiffs from the decision of Judge  
Gear dismissing the writ of mandamus  
in the suit of Sanford B. Dole and  
others, composing the Board of Public  
Institutions under the County Act,  
against Henry E. Cooper, Superinten-  
dent of Public Works.

Sophie Ching Duck petitions that  
she be appointed administratrix of the  
estate of Ching Duck late of the vil-  
lage of Kok Doo, Heong San, China.  
The estate consists of a fire claim  
award of the value of \$152.75.

Judge Gear has signed a decree dis-  
solving the bonds of marriage be-  
tween Emily Cameron Williams and  
Edward Austin Williams, on the  
ground of neglect and refusal of the  
libellee to provide suitable main-  
tenance for his wife, and requiring the  
libellee to pay costs of court and a  
fee of \$75 to libellant's attorney.

A SEVERE SPRAIN usually dis-  
ables the injured person for three or  
four weeks. Cures have often been  
effected in less than one week by ap-  
plying Chamberlain's Pain Balm. This  
liniment has great healing powers.  
One application gives relief. Try it.  
All Dealers and Druggists sell it. Ben-  
son, Smith & Co., Ltd., Agents for Ha-  
waii.

NEWS AND GOSSIP FROM  
THE NATIONAL CAPITAL

(MAIL SPECIAL 'O THE ADVERTISER)

WASHINGTON, D. C., June 29.—The official summer vaca-  
tion period, which has had several starts already during the last  
three months, has now begun in earnest, for President Roosevelt  
has hastened away to his country seat near Oyster Bay. It has  
been so cool and comfortable in Washington all through June that  
little impetus has existed to move out of sight of the Capitol dome  
but, comfortable or uncomfortable, officials will have their vaca-  
tion and thereby the proprietors of summer resorts reap a profit.  
There are always a following of people who do what officialdom  
is doing.

The President cleared away a great deal of routine business  
during his three weeks stay here but there was little of the rush  
and turmoil about the White House which characterizes the pres-  
ence in town of numerous Congressmen. A few came to town to  
transact business and do errands for constituents. The federal plum  
tree was occasionally shaken and a few choice plums have fallen.  
Considerable business that had accumulated on the desks of cabi-  
net officers, awaiting Mr. Roosevelt's presence, has been cleared  
away. All in all the decks are free from encumbrances and the  
ship of state will proceed, according to all prospects, without much  
commotion for the next two or three months. The grand return  
of everybody, high and low, to the Capital city will not begin  
before September 1 and in many cases not till September 15.

## THE POST-OFFICE SCANDALS.

A good deal of President Roosevelt's time was occupied in  
familiarizing himself with the details of the investigation of scandals  
in the Postoffice Department. That is about the only item of federal  
government, which has caused him any worry of late. He has had  
conference after conference about it with Postmaster General  
Payne and at times Fourth Assistant Postmaster General Bristow,  
the immediate supervisor and planner of the investigation, has  
been to the White House, although this is not known here, save  
for one visit a week or so ago.

There has been a vast deal of talk about Postmaster General  
Payne resigning, because of alleged mismanagement of the in-  
vestigation. The President has caused semi-official denials of any  
such prospect to be printed in the newspapers. Mr. Payne has  
blundered in some things, especially about the charges of Ex-  
Cashier Tulloch, of the Washington City Postoffice, which he ridicu-  
led. But on the whole, since the investigation started in earnest,  
Mr. Payne has been doing his utmost to root out wrong doing. It  
would be most unfair to dismiss him from the cabinet at this  
juncture, as it would reflect unjustly upon Mr. Payne. Personally  
Mr. Payne is a very pleasant and courteous man. The President  
has a liking for him. This would be enough to keep him in the  
cabinet for the present, but there is another reason for keeping him  
in. Mr. Roosevelt has need of him next year in raising campaign  
contributions. To this end he is keeping in touch with the Hanna  
contingent of the party, for if anybody can get money for the Re-  
publicans next year, it will be that contingent. Nobody knows  
how many votes were due to the enormous campaign funds of 1896  
and 1900. If the Democrats have a conservative candidate and a  
conservative platform next year, they will also have a few barrels  
of money. It is that which the Republicans fear.

## HANNA'S POLITICAL VITALITY.

In spite of all the talk at the time of the Ohio Republican  
convention that Mr. Hanna had lost prestige by appearing to op-  
pose the endorsement of Roosevelt for nomination, "the old man"  
is showing wonderful political vitality. He is still of great im-  
portance to the administration. Nobody realizes more than Mr.  
Roosevelt how necessary to him it is to prevent any serious de-  
fection of business interests next year and that is why, for one  
reason, that he is cuddling close to Hanna. It must not be forgot-  
ten that the two are warm personal friends, but Mr. Hanna can sway  
as no other public man at the present time can, the great industrial  
captains. If he consents, however reluctantly, to head the national  
committee next year he will be a tower of strength there to Mr.  
Roosevelt. He can enter Wall Street and bring away all the money  
he can carry. But the talk about making Mr. Hanna the candidate  
for vice president is founded on the same reasons, because of the  
conviction that he would be powerful to compel votes among the  
business men.

## GORMAN MAY RUN.

The conviction seems to grow here that Senator Gorman, of  
Maryland, will be the Democratic nominee. Next to Senator  
Hanna, he is probably the strongest man in the country with the  
great business interests and with the Marylander at the head of  
the ticket the Republicans would be more or less alarmed about  
the drift of the business vote and the business influence. If the  
indications for Gorman's nomination increase as the session of  
Congress proceeds, the Republicans will look about them sharply  
for some means to counteract the Gorman influence in industrial  
circles.

Senator Hanna is very loth to accept any great responsibility  
in the next campaign. He is getting old and infirm and wants to  
rest from political labors, but it would be no surprise if he eventual-  
ly consented to take a hand. He is very loyal to the party and, in  
spite of the burden, enjoys being actively in the harness.

## HONOLULU MATTERS.

The failure of five Chinamen, formerly in the Territory of  
Hawaii, to return within a statutory period, Commissioner of Im-  
migration Frank P. Sargent has ordered the stubs and duplicates  
of the certificates to be destroyed. All are Chinese laborers, by  
name: Loo Chew Mung, farmer at Waiau, Oahu; Seu Gun, Packer,  
King Street, Honolulu; Chin Hin, laundryman, Fort Street, Hono-  
lulu; Jen Lay, steward, Hotel Street, Honolulu, and Kwon 'Cue,  
King Street, Honolulu. All left Honolulu during April, 1901.

Another grist of customs decisions, affecting opinions rendered  
by the Collector at Honolulu, has been rendered by the Board of  
Appraisers in New York. In this case the protests against the  
decision of the collector at Honolulu are sustained and the col-  
lector's decision reversed with instructions to reliquidate the en-  
tries accordingly. The merchandise in question in these cases was  
imported from Japan and China into the port of Honolulu and con-  
sisted of so-called bean cake, bean stick, and potato cake. The  
goods were classified and assessed for duty under the provisions  
for "all vegetables prepared or preserved" at 40 per cent ad valorem  
but Wing Sing Wo, et al, the importers, claimed that the goods  
were dutiable at 20 per cent ad valorem as non-enumerated manu-  
factured articles.

Wing Sing Wo win in their contention, the decision of the  
Board of Appraisers being final in the matter. The bean cakes are  
described before the appraisers as small, approximately rectangular  
shapes of porous consistency and yellow color, which break into  
crumbs under pressure. The bean sticks are lengths of hard,  
brittle, yellow substance, having a glazed appearance and re-  
sembling a piece of molasses candy. The potato cakes are thin  
pieces of white porous substance, tough and somewhat flexible.  
A great deal of evidence was collected in the cases, some of it from  
the manufacturers in the Orient, including Tsunesaburo Nagayama,  
owner of the Kori Konnyaku (potato cake) manufactory at Yoko-  
hama, who has manufactured those goods for six years.

ERNEST G. WALKER.

NEW HOME  
FOR GIRLSHopper Homestead  
Will Be So  
Used.

The Kaula Home for Girls is to be  
opened September 1st, in the old Hop-  
per homestead at King and Punchbowl  
streets. The place has been leased by  
an organization of ladies who have for  
a long time been desirous of providing  
a home for girls who are without  
homes of their own. The place is in-  
tended primarily as a home for Hawai-  
ian girls, but it will be open as well  
to girls of other nationalities.

The Hopper homestead was formerly  
used as a Salvation Army home and  
later as a boarding house. It is well  
adapted for use as the "Kaula Home  
for Girls."

Mrs. Henry Waterhouse is the pres-  
ident of the little circle which is to  
open the home. "The Kaula Home  
for Girls is intended as a place of abode  
for girls who otherwise would be with-  
out homes," said Mrs. Waterhouse yester-  
day. "The old Hopper homestead  
has been leased for the purpose and the  
money for its support is being raised in  
the community by a board of ladies,  
who have the matter in charge. It is  
not a charity home, nor is it to be sec-  
retarian. It will be independent in ev-  
ery way, simply a boarding home for  
girls."

"Primarily it is intended as a home  
for Hawaiian girls, for Normal School  
girls. Chinese and Japanese girls can  
also come there, though the home is  
opened for the native girls, the gradu-  
ates of Kamehameha particularly. Then  
there are working girls who are in  
need of a home, those who clerk in  
stores, telephone girls, in fact we ex-  
pect to reach all who are in need of  
homes."

"We intend to give cooking lessons,  
lessons in weaving and lace-making  
and in sewing. There will be a charge  
for lessons as well as for rooms."

"The new home is to be in charge  
of Mrs. S. D. Heapy. She is at pre-  
sent on Maui for a vacation prior to  
taking up the school's work. Miss  
Lucy Adams is to have charge of the  
lace-making classes, Mrs. May Wilcox  
will have charge of the sewing and  
weaving classes and Miss Laura Green  
of the cooking class."

The officers of the Kaula Home As-  
sociation are: Mrs. Henry Waterhouse,  
president; Mrs. May Wilcox, vice-presi-  
dent; Miss Ida Pope, treasurer; Miss  
Lucy Adams, secretary; Mrs. Fred  
Macfarlane, auditor, and Mrs. S. C.  
Allen and Miss Laura Green directors.

A NEW CANE  
LOADER TRIED

A new cane loading machine has been  
used at Waialua Plantation during the  
present season for harvesting a portion  
of sugar crop and is said to have been  
very successful. The machine has been  
patented by Frank L. Webster of Aus-  
tralia and he has associated with him  
in exploiting the tent in Hawaii, J.  
A. McCloud and A. A. Wilson.

"Our machine will load cane in  
half the time and at a saving of ten per  
cent of the expense of the methods at  
present employed," said Mr. Wilson yester-  
day. "You know that with any new  
invention there are a great many de-  
fects to be corrected, and we have been  
perfecting the machine right in the  
fields. It has been operated all this  
season at Waialua Plantation and has  
proved to be successful. Thirteen men  
can handle the machine and we have  
been taking care of thirty cars of cane  
of four tons each per day."

"The cane loading machine consists  
of a portable derrick which is  
adjusted to trucks that run on the  
portable track that cane cars run  
upon. The cane cars pass through  
the machine right over the top of the  
trucks. The cane is piled into slings,  
which are drawn in by cables and  
dumped into the cane car as it stands  
on the portable trucks. Besides the  
drawing in cables, there are boom ca-  
bles which are used in conveying the  
cane from a distance on both sides of  
the machine."

"The booms swing to either side.  
There are six drums running inde-  
pendent of each other, two drums running  
to the boom cables and two running  
on each side taking in the cane from  
a distance. The whole is operated by a  
thirteen horse power gasoline engine.  
As fast as the cars are filled they are  
pushed off towards the mill. In the  
morning all the empties are run  
through behind the machine, and then  
pushed on as fast as needed."

"Our best record was loading two  
cars in twelve minutes, but that is not  
the speed for a day's work. We were  
timed once in the course of a day's  
work and two cars were loaded in  
seventeen minutes. Forty-one cars was  
the biggest day's run."

THE FORESTS AND  
THE WATER SUPPLY

The question of water-supply hinges  
on forests. Denuded hillsides mean  
floods after heavy rain, and while a  
mountain may be lumbered without de-  
struction of the undergrowth and the  
forest floor, a sweeping fire following  
such operations will destroy even the  
humus, leaving bare rock or soil. Rain  
is no longer retained to be let out  
gradually, but dashes down in torrents,  
no longer a benefit, but an added agent  
of harm, carrying away the soil and  
flooding the lower valleys. The in-  
crease of damaging floods in late years views



"We are old friends, this bottle and  
I. We have known each other for over  
sixty years. When a boy I was always  
taking cold, but a few doses of this  
medicine would at once set me right."  
"When a young man I had a weak  
throat and weak lungs. My friends  
feared some lung trouble, but

Ayer's  
Cherry Pectoral

greatly strengthened my throat, cleared  
up my voice, and took away the ten-  
dency for every cold to go to my lungs.  
"Last year I had a bad attack of la-  
grippe. The only medicine I took was  
from this bottle, and I came out all  
right. I know it's good, too, for  
asthma, bronchitis, pneumonia, croup."  
There are many substitutes and imi-  
tations. Beware of them! Be sure  
you get Ayer's Cherry Pectoral.

Two sizes. Large and small bottles.  
Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agents.

## Our Best Advertisement

Pure Drugs  
and  
Chemicals

## TOILET ARTICLES

and the choicest  
line of

## PERFUMERIES

At Reasonable Prices. Call  
and Convince Yourself.

Prescriptions a Specialty.

**Hollister  
Drug Company.**

Fort Street.

## MOANA HOTEL..

WAIKIKI  
BEACH

RAPID TRANSIT ELECTRIC

CARS arrive at, and depart from,  
the main entrance to the Moana  
Hotel every ten minutes.

MOANA HOTEL CO., LTD.

## THE CLIFTON

T. K. JAMES, Proprietor.

Private apartments, en suite and single.  
Finest appointed and furnished  
house in Hawaii. Mosquito proof  
throughout. Hotel street, near Alakea.

is due in great measure to fires that  
follow reckless lumbering.  
In the far West, the relationship be-  
tween forests and water-supply is in-  
timate and far-reaching. Here agri-  
culture is mainly carried on through  
irrigation. The question of water-sup-  
ply is a question of life, and a forest  
fire in a watershed means not alone the  
loss of the timber but the removal of  
the covering that protects the snow  
from rapid melting with the warm  
spring sun, and a consequent rapid  
run-off of rain and melted snow, filling  
reservoirs with sediment, carrying  
away storage dams, and causing the  
streams to dwindle to nothing in the  
late summer, when water is most needed.

A single illustration will show this.  
One of the accompanying views shows  
a steep mountain-slope in the San  
Gabriel Forest Reserve of Southern  
California. When the first settlers  
came, these slopes were well forested,  
there was an abundance of water, and  
agriculture developed rapidly. This is  
the famous orange district around Red-  
lands and Riverside, where orange  
orchards are worth as much as two  
thousand dollars an acre. Soon after,  
settlement fires started the denudation  
of the San Gabriel and San Bernardino  
mountains, sweeping them repeatedly.  
Then streams began to fail in late sum-  
mer, and flowing artesian wells made  
up the deficit; more fires, and the wells  
had to be pumped. Later, lateral tun-  
nels were dug to develop every drop of  
seepage water, and now the supply is  
barely holding out. Lands adjoining  
the immensely valuable orange groves  
have the same fertile quality, but are  
worthless through lack of water. In  
short, the development of what is prob-  
ably the richest agricultural spot of  
the country has been effectually arrest-  
ed by forest fires, and it will remain  
at a standstill until the replanted for-  
ests are developed.—Review of Re-  
crease of damaging floods in late years views



**Hamburg-Bremen Fire Insurance Co.**

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of  
F. A. SCHAEFER & CO., AGTS.

**German Lloyd Marine Insurance Co.**

OF BERLIN.  
**Fortuna General Insurance Co.**  
OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,  
General Agents.

**General Insurance Co. for Sea River and Land Transport of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,  
Agents for the Hawaiian Islands.

**YOUR SUGAR CROP**

Depends on the right quantity and quality of Ammoniates it has to feed upon. Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

**NITRATE OF SODA**

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

**WILLIAM S. MYERS, Director.**  
12-16 John St., New York,  
U. S. A.

**CABLE STAFF IS TO BE SEPARATED**

The Alameda when she sails on Wednesday will carry on her a number of his men from the cable ship Angia who have been ordered home to England.

The following officers will leave: Captain Pattison and Mr. Barwell representing the Pacific Commercial Company, Thomas Clark, Chief Electrician of the Commercial Telegraph Company, Mr. Pender and Mr. Wolfe Barry. Mr. Todhunter remains in Honolulu until the contractors' guarantee expires, which will be one month from the time the cable was laid, or August 4.

The Angia will go to the Naval wharf this morning to coal. She takes about two thousand tons, and after loading will get away for London. She will probably take her departure the latter part of the week.

**WHAT WE HAVE**

learned. The century just closed was the most wonderful of all the centuries since the morning of time. Whether the twentieth will equal it remains to be seen. Conspicuous among its inventions and discoveries is the advance made in preventing and curing disease. Great epidemics no longer sweep over the world; men have learned how to choke these monsters in the hour of their birth. And as to those diseases which were practically universal and continuous, diseases which afflicted and destroyed more people than occasional outbreaks of cholera, smallpox or plague, we have them now under control to an extent that, twenty-five years ago, was not dreamed of as possible. The list includes Scrofula, Anemia, La Grippe, Influenza, Troubles of the Throat, Lungs, Stomach and Bowels and all Wasting Complaints. Over these scourges of the human race the specific and antidote provided by progressive medical science is

**WAMPOLE'S PREPARATION** It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Its medicinal and reconstructive power is more than remarkable; nothing compares with it. It never fails to make the weak strong and as an effective remedy for wasting diseases it stands in the front rank in the march of medicine. It comes to the rescue of those who have received no benefit from any other treatment: the blood is purified and disease germs thrust out of the system. It cannot fail. If hard to please, try it: one bottle convinces. The first dose does obvious good. Get the genuine. Sold by all chemists here and everywhere.

**MUSIC AND LITERATURE****Makawao Club Gives Fine Concert.**

MAUI, July 11.—The Makawao Literary Society gave a "pay" entertainment on the large lanai of the residence of Hon. H. P. Baldwin at Camp No. 1, Puunene, Wednesday evening.

A stage with electric foot lights was placed at one end of the hall-like room and potted plants made admirable decorations. People from all parts of central Maui filled the large auditorium.

The engine that pulled the train that conveyed the Walluku residents was off the track a half hour and thus caused a delay in the beginning of the following elaborate program:

Piano Solo—  
Mrs. Randal von Tempky.  
Stereo-pictorial Views—  
Rev. W. H. Rice.

Duet—  
Mrs. von Tempky and Mr. Searby.  
Selection—"Florodora"  
Vocal Solo—

Miss Cooledge.

Recitation—  
Mrs. Lowell.

Cantata—"The Grasshopper".....

Those who took part in "Florodora" which received an enthusiastic encore were Miss Culbert and Mr. W. O. Aiken, Miss Ethel Smith and Mr. Thompson, Miss Cooledge and Mr. Krumphardt, and Miss Eva Smith and Dr. G. S. Aiken.

In the cantata, the grasshoppers (in costume) were Mesdames Hair and Nicoll, Misses Cooledge, Burgner, Mosser, and Aiken and Messrs. Nicoll, Hair and D. T. Fleming. D. C. Lindsay was "Turkey Gobbler," and Messrs. W. O. and G. S. Aiken were "black bugs."

This musical extravaganza was founded upon the old college song which tells of a turkey gobbler gobbling up a grasshopper sitting on a sweet potato vine. About \$125 was realized from the entertainment.

The score of the Hamakua-Paia baseball game which took place the morning of the 4th on the Sunnyside Polo grounds was 26 to 19 in favor of Hamakua. But five innings were played. Krumphardt pitched for Hamakua and Driscoll and W. O. Aiken for Paia. Straight throwing was the rule of the game. The contest was productive of much amusement. Messrs. Talte and Searby were umpires.

The polo tournament during the afternoon was played in a more scientific manner and though it resulted in a "draw" was very exciting.

Four ten-minute periods of play between the "Whites" and "Yellows" resulted in favor of the "Whites" 4 goals to 2. Then the "Reds" beat the "Whites" 3 to 2 1-2, the latter losing 1-2 owing to two safeties. Each side made 3 goals.

Last, the "Yellows" contested with the "Reds" and after three ten-minute periods of fierce play, neither side scoring, the "Yellows" got the victory by the algebraic score of 0 to minus 1-4—the minus one-fourth signifying a safety touch-down by the "Reds."

As each team lost and won a game, the tournament was declared a "draw."

**STRAY NOTES.**

One night last week, Mitchell, the coachman of the H. P. Baldwins, was held up in Chinatown, Paia, by a gang of Porto Ricans which infests the vicinity. Several arrests have been made. It is stated that a number of Porto Ricans have recently left the plantation and are living by their wits in the makai part of Paia.

Mr. O'Shaughnessy is not only engineer-in-chief but also is the manager of the new Koolau ditch and sole representative of the four plantations of Puunene, Paia, Hamakua and Kihel. Mr. W. F. Pogue is subordinate to Mr. O'Shaughnessy.

There is peace in the Christian Science church of Pauwela. The door of the holy edifice is never locked and both factions hold services at different times without any friction.

On March 27, 1903, the employees of Hana plantation presented to the retiring manager, Mr. K. S. Gjerdrum, a large and most beautiful koa calabash mounted on three silver claw feet, with the silver monogram (K. S. G.) on one side and a silver tablet properly inscribed on the other. Wishing to have a heavy solid silver punchbowl set into the calabash, it was sent to Chicago where the work was most skillfully done.

John Dayton of Huelo, aged 72 years, died at Paia plantation hospital of

cancer, Saturday, the 4th. He was buried in the Makawao cemetery the following Sunday afternoon, Rev. Dr. E. G. Beckwith performing the ceremony. Mr. Dayton was a kamaaina of many years residence on Maui.

Maui plantations are all beating their estimates as to sugar crops. Paia plantation ceased grinding about a week ago with the record of 7500 tons. Hamakua will shut down in about a week with a yield of over 6000 tons.

Thursday morning a crater party of twelve visited Haleakala under the charge of W. O. Aiken. On account of clouds they did not have the best view of the crater. In the party were Mr. and Mrs. John F. Turner of Chicago.

Another party under charge of L. von Tempky went down into the crater Monday, the 6th. In this party were L. A. Thurston, Harold Castle and others.

On the 4th Miss Fanny Engle and Walter Engle of Paia and Miss Charlotte Baldwin and Fred. Baldwin of Puunene arrived on Maui from schools on the mainland.

Mr. and Mrs. J. H. Nishwitz formerly of Nahiku are now in Colorado.

Miss Katherine Smith of Honolulu is the guest of Mrs. C. W. Dickey at Ollinda House.

Miss Agnes Fleming of Grove Ranch departed for Honolulu on the 5th to attend the Summer School.

Miss Dowdle of Paia has been sick with dengue.

Miss Nellie Crook of Makawao soon goes to the Coast for a several months' trip.

Miss Irene Crook goes to Honolulu today to attend the Summer School.

Tonight, the 11th, Mrs. Randal von Tempky gives a dancing party at her Makawao residence.

At noon on the 12th, Mrs. L. von Tempky of Haleakala Ranch will give a luau as a farewell to Miss Hayes.

Mrs. James Scott of Kihel is recovering from severe injuries on the hand caused by the bite of a large Newfoundland dog.

**GOV. DOLE TO VISIT ON MAUI**

On next Wednesday, the Iroquois commanded by Captain Rodman will bring Governor S. B. Dole and other prominent territorial officials and citizens to Lanai, on a semi-official visit, extending over several days. Learning this fact, the representative of the News, while in Honolulu during the early part of this week, could on the governor and on behalf of the citizens of Maui invited him to extend his visit to our Island.

Although the Governor proposes to visit Hawaii on board the Iroquois as soon as his duties on Lanai are completed, yet he gracefully consented to spend a day and night on Maui before proceeding to Hawaii. According to present plans, the Iroquois will land the Governor and party at Kihel where they will be met by a special train and brought through the cane area of central Maui, and a visit to the Puunene will be a feature of the trip. The party will be brought to Walluku where they will spend the day and night as the guests of its citizens, rejoining the Iroquois and resuming their trip on the following morning.

A committee of the citizens of Maui will have the matter in hand and as there is absolutely no political or business features in the affair, the event will be purely a social one in which Walluku will have another chance to prove the open handed and friendly hospitality of her wide awake citizens.—Maui News.

**News of Lahaina.**

A very successful and enjoyable ball was given last Saturday evening at the Lahaina Club House. The rooms and the dancing enclosure were beautifully decorated with Japanese lanterns, flowers and flags. A brilliant light illuminated the dancing floor. There was a large attendance and bountiful refreshments were served. Count Zedtwitz added much to the musical attractions.

The first anniversary of the Lahaina Branch of the Japanese Red Cross Association was held on Sunday afternoon at the residence of Dr. Miyata. The grounds were tastefully decorated with Japanese flags, and with the insignia of the Red Cross Society. Appropriate remarks were made by some of the gentlemen present, and then all were invited to the tables laden with fruits, sweetmeats and Oriental delicacies.

Prof. E. H. Carleton has been selling some of his furniture this week, in anticipation of removal.

The Rev. Canon Ault and family came over from Walluku on Thursday afternoon, and are pleasantly located in Miss Hadley's cottage by the sea.—News.

A SCAR from a burn or scald is often dreaded more than the pain that is inflicted. Chamberlain's Pain Balm heals the injured part in less time than any other treatment, and unless the injury is a severe one, no scar will be left. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

**PARTIAL PARALYSIS****Still Another Case Cured by Dr. Williams' Pink Pills.**

The story of the cure of Henry J. Hubbard, of Witten, Ohio, from paralysis, will bring hope to others afflicted as he was. He was helpless and utterly discouraged. He had been getting worse and worse, month by month. First it made him unable to work, then he could not walk, then he could not even raise a hand to feed himself; he could not move any part of his body except his head.

"I heard of Mr. Lee F. Cypher, of Sisterville, a neighboring town in West Virginia, who had been cured of paralysis by Dr. Williams' Pink Pills for Pale People," says Mr. Hubbard in telling the story of his cure, "and my son took me over to see him. It gave me new courage to hear him tell how easily he found relief, for I had given up hope of ever being able to move again. I was perfectly helpless. When I was first taken I was treated by three physicians, one of them a specialist, but I got worse instead of better. I could both walk and feed myself when I began doctoring with them, but finally I could move nothing except my head. The doctors' medicine caused my stomach to pain me a great deal; it didn't help me a bit, and, as I said, I got discouraged."

"Then, after I saw Mr. Cypher, and he told me that Dr. Williams' Pink Pills for Pale People had accomplished such a wonderful cure in his case, I decided to take this remedy myself. In about three weeks after beginning with the pills I noticed a change for the better. Now I can walk and get around all right."

The first symptoms of partial paralysis are: trembling of the hands; sudden loss of power in arms or legs, frequently affecting one whole side of the body; staggering; partial or entire inability to use the fingers; distortion of the features, sometimes an uncontrollable quivering of the chin; severe pains; difficulty in speech. Paralysis may be caused by exposure, emotional influence, venereal excesses and by other diseases. The approach of the disease is generally gradual. Frequently the first warning is a vague feeling of headache, vertigo and muscular weakness. The best method of treatment is to restore the nutrition and vitality of the nerves by using Dr. Williams' Pink Pills for Pale People.

**THE AGONY IS ENDED.**

(Continued from page 3.)  
of attorney." He was "Wylie both by name and nature."

**MR. ANDREWS' REPLIES.**

Attorney General Andrews, in replying to both respondents and their counsel, only discussed two points in the evidence. He took it that the court was tired of the often repeated stories, besides having the records to review the testimony for themselves.

Regarding the stress that had been laid on his own inability to inform Watson, when he came to his office, of the nature and scope of the charges, he mentioned the fact that he had but recently to the office of Attorney General when it was crowded with business. "Was it reasonable to suppose that there was opportunity within the twelve days in question to discuss the matter with Deputy Peters, or for himself to have mastered the details of what had taken four months to investigate? The respondents had not been able, it would appear, to formulate their charges against the other attorneys in the summer cases during all of that period, which they took occasion to throw out since the beginning of the present trial. Simply because he had not talked this case over with Peters, when both had more of their ordinary duties to perform than they had time to take care of, the respondents had consigned him to the bottommost depths of hell."

The Attorney General argued, in reply to Mr. Cathcart, that the cases quoted by him were not at all analogous to the one at bar.

**IGNORES CALUMNIATION**

Mr. Andrews reminded the respondents that the prosecution was not voluntarily undertaken by him, but resulted from an investigation into the conduct of respondents ordered by the Supreme Court AT THEIR OWN SOLICITATION. He had endeavored to conduct the case fairly and there was no occasion for the outbursts of vindictive calumny which, in his reply, he deemed best to ignore. Such was the substance of the Attorney General's remarks, which were succeeded by the arrangement about briefs already mentioned.

**The "Star" Ventilator.**

Storm-proof, effective, for ventilating factories of all kinds, public buildings, residences, etc.

**Merchant's Metal "Spanish" Tiles**  
Ornamental, Storm-Proof, Easily Laid.

These tiles are recommended by leading architects, engineers and builders of first class buildings. Merchant's "Gothic" Shingles, copper, galvanized steel screw plates. Send for illustrated book-let of our specialties, mailed free upon application. **MERCHANT & CO., Inc.,** Sole Manufacturers, 517 Arch St., Philadelphia, Pa.

**BEAUTIFUL SKIN**  
**Soft White Hands**  
**Luxuriant Hair**  
**Produced by**  
**CUTICURA SOAP.**

MILLIONS OF WOMEN USE CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many antiseptic purposes which readily suggest themselves to women and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients, and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines, in ONE SOAP AT ONE PRICE, the BEST skin and complexion soap, the BEST toilet and BEST baby soap in the world.

**Complete External and Internal Treatment for Every Humour,**

Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the severest humours, with loss of hair, when all else fails. Sold throughout the world. "All about the Skin, Scalp, and Hair," post free, of Aust. Depot, R. TOWNS & CO., Sydney, N. S. W. So. African Depot: LENSSEN LTD., Cape Town. POTTER DRUG AND CHEM. CORP., sole Props., Boston, U. S. A.

**DR. J. COLLIS BROWNE'S CHLORODYNE**

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR OF CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1884.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN OF EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. IS THE GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM; one dose generally sufficient.

Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cuts short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, Hysteria.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N.B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the inventor, DR. J. COLLIS BROWNE. Sold in bottles, 1s 1/2d, 2s 9d and 4s 6d, by all chemists.

Sole Manufacturers, J. T. Davenport, 33 Great Russell St., London.

**COMMERCIAL NEWS**

With the financing of the Wireless telegraph as the principal feature of the week's doings along Merchant street, there has fallen a period of expectancy, as the brokers believe that with the fall coming on and sugar going forward so rapidly, there should be some changes in the local status. It is not the time to look for radical transactions, and the prospect is that there will only be the light doings of the summer seasons of the past.

There is some little gossip about the Territorial bonds which will soon become a fact in every deal which is made abroad, for as is the credit of the Territory so will be the credit of individual corporations in it. The indication is that there will be inquiries for the bonds, as they should prove attractive at the rate of interest, all other things being equal. The money market on the Coast is quiet now, as the bankers there are waiting to see what the conditions in New York portend. Mr. S. M. Damon, who returned during the week from San Francisco, says that the business men there are all keeping their eyes on New York, as the money market there is not of the best, the burden of new stocks which were floated during the year producing a feeling of uncertainty as to their absorption speedily, or the precipitation of a crash.

Hawaiians look well in San Francisco, there being a general belief that island affairs are in good condition, and that our securities will not go lower.

There is a belief here that some injustice is done to Hawaiian managers by a recent statement that there is being paid no attention to economy. The fact seems to be that all the plantations are working down to the closest basis possible. On one estate the economies have been such that where sugar cost above \$8 to make a year ago, this year it will be in the neighborhood of \$6. The fact is that expenses are being cut down in all lines here, and any other impression getting abroad is a false one, speaking for the general run of the estates.

The fact that the Legislature is over, that appropriations have been made which should result in general improvements where they are needed, and the money affairs of the islands put on a better basis in that respect, will have a good effect upon business in general and several lines report that the demand is better, collections still remaining light. There is still a demand for more silver money in the territory, the banks being about to be compelled to order new supplies of dollars, at least. The report from the states is to the effect that there will be a determined effort made to induce Congress to provide an increased currency for the nation, at the next session, and this will have the effect of relieving all the markets.

The dealings on the local share market during the week past have been confined to twelve Ewa at \$21; fifty Olua at \$7; five Waialua at \$47.50 and five Inter Island at \$114. There were two blocks, aggregating \$18,000, of Oahu plantation bonds sold during the week at par.





## ARRIVED.

Friday, July 10.  
S. S. Alameda, Dowdell, from San Francisco, at 8 a. m.  
Stmr. Ke Au Hou, Tullett, from Anahola, Ahukini, Hanalei, Kailiwal and Kilauea, at 1:55 a. m., with 3,108 bags sugar, 482 bags rice, 7 pigs, 48 pigs sundries.  
Stmr. Waiakale, Cooke, from Ahukini and Waiman, at 9:45 a. m., with 3,060 bags sugar, 250 bags rice, 2 packages merchandise.

## Saturday, July 11.

Br. bk. Kilmalle, McKay, 78 days from Newcastle, at 9 a. m.  
Stmr. Lehua, Naopala, from Maui, Molokai and Lanai ports, at 5 a. m.  
Stmr. J. A. Cummins, W. Bennett, from Koolau ports, at 5 a. m.  
Stmr. Kinau, Freeman, from Hilo and way ports, at 11:30 a. m., with 25 cords wood, 1 horse, 11 hogs, 8 bds, hides, 20 sacks potatoes and 139 pigs, sundries.  
Gaso. schr. Eclipse, Townsend, from Maui, Kohala ports and Kailua, at 11 a. m.  
Stmr. Ke Au Hou, Tullett, from Kailua ports, at 6 p. m.

## Sunday, July 12.

H. B. M. C. S. Iris, Lacy, from Fanning Island, at 2 p. m.  
Stmr. Mikahala, Gregory, from Kauai.  
Stmr. Nihau, W. Thompson, from Kauai.  
Schooner Kaulaouli, from Kohala, at 6:30 p. m.

## Monday, July 13.

T. K. K. S. S. Nippon Maru, E. Bent, from the Orient, at 4 p. m.  
T. K. K. S. S. Hongkong Maru, Filmer, from San Francisco, at 5 p. m.

## DEPARTED.

## Friday, July 10.

Stmr. J. A. Cummins, D. Bennett, for Koolau ports, at 9 a. m.  
Am. schr. Rosamond, Fernald, for San Francisco, at 1:30 p. m.  
Schr. Ka Mo, for Kohala, at 3 p. m.  
Stmr. Mauna Loa, Simerson, for Lahaina, Maunaloa, Kona and Kau ports, at noon.  
Stmr. Ke Au Hou, Tullett, for Nawiliwili.

## Saturday, July 11.

A. H. S. S. Nevada, Weedon, for San Francisco, at 2:30 p. m.  
Stmr. Waiakale, Cooke, for Ahukini and Kilauea, at 3 p. m.  
Stmr. Helene, Nelson, for Paauhau, Kulaia, Ooakala, Laupahoehoe and Papaia, at 4 p. m.

## Monday, July 13.

Stmr. Lehua, Naopala, for Molokai, and Lanai ports, at 5 p. m.  
Stmr. Ke Au Hou, Tullett, for Kapa, Anahola, Kilauea, Kailiwal and Hanalei, at 5 p. m.  
Schr. Mo Wahine, Kuanone, for Hawaii ports, at 3 p. m.

## PASSENGERS.

## Arrived.

Per stmr. Ke Au Hou, from Kauai ports, July 10.—Miss Bertleman and 3 deck.

From Hilo and way ports, per stmr. Kinau, July 11.—Queen, Liliuokalani, Miss Liliu Keamali, Miss Myra Heleluhe, Joseph Aca, John Almoku, Mrs. H. Kulihani, S. B. Rose, Wm. McKay, H. M. Rehm, Walter Madler, R. Giescke, R. P. Lange, L. J. Warren, J. A. M. Johnson, Mrs. Geo. L. Desha, Mrs. S. C. Dwight, Mrs. Geo. F. Davies, Miss Lillioke Hapai, Miss Hattie Hapai, W. H. Stone, Miss E. K. Ewaliko, Miss K. Ewaliko, Paul Jarrett, David Kanihi, H. C. Foss, Miss Kahulua, R. C. L. Perkins and wife, Dr. Y. Nagai, Harry Piggott, R. Hawhurst, Jr., Jas. von Ekekeia, W. G. Walker, Sam Wo Chang and son, Mrs. Patten, Mrs. I. Hussey and two children, J. O. Carter, Jr., Miss L. Akina, Miss Alice Aho, E. B. McLeanahan, W. C. Vida, Miss L. C. Jaeger, Miss N. Pickard, H. T. Broderick, D. H. Kahaulio and wife, E. J. Walker.

From Maui, Lanai and Molokai ports, per stmr. Lehua, July 11.—Mr. Wagner, Chas. Simpson.

Per stmr. Claudine, from Maui ports, July 12.—Miss R. Smith, Mrs. D. H. Davis, Miss C. L. Turner, Miss Crook, Miss L. Iokla, Miss L. Ahuna, Mrs. S. Lyman, Miss E. Toomey, Miss Wong Kong, Jng. Plunket, J. Morris, C. M. Lovsted, Mrs. Franca, Mrs. M. A. Gonsalves, A. Ng Him, Tan Sing, Miss M. Gomes, Ah. Chock, T. A. Klakona, S. Ishikane, Mrs. Hapai Nui and child, M. Kaulimahu, W. B. Keanu, Mrs. E. Doyle, Miss Doyle, Miss Mallana, Mrs. Dickens and 2 children, J. Brown, Miss L. Goodwin, Mrs. E. Smith, Master W. Smith, R. W. Shingle, A. B. Wood, W. K. Hoopli, H. Nahaolelua, Yee Chong, Ah. Chen.

Departed.  
Per stmr. Mauna Loa, July 10, for Lahaina, Maunaloa, Kona and Kau ports —Gertrude Hoffgaard, C. M. Cooke, Mrs. E. C. Allen, Miss Bicknell, Miss Robertson, A. G. Serrao, Lizette Yates, S. Kekumano, Dr. J. S. B. Pratt, Miss Ben Taylor, E. E. Conant and family, A. B. Wood, Mrs. Annie Manasse, Hannah Jacobson, Mrs. S. A. Green, Miss Parker, Rhoda Green, W. W. Chamberlain, A. Hanaberg, E. K. Kaana and wife, Emaline Green, Mrs. Savidge, R. G. Henderson, Mrs. F. Koehler, Mrs. Mokihana Fernandez, R. W. Shingle, Miss K. McIntyre, C. J. Day, Mrs. Keimol, M. P. Scott, G. H. Robertson, O. A. Stevens, Alfred Smith, Alice Muller, C. W. P. Kaeo, Mrs. Kaeo, Rev. J. Kauhane, Mrs. Lono, Rev. W. N. Lono, Master Lono, K. Hoshina, Mrs. J. E. Kaualu, Julia Pimento, O. K. McBryde, E. Kekuewa and 63 deck.

The steamer Nihau arrived from Kailua ports yesterday.

## THE LAST SAD RITES WERE SAID

(Continued from page 5.)

brave man and he died as such. It is not often that a man can be a public servant for as long a time as Judge Wilcox. He filled public positions during times of much excitement but he was a man without ostentation, plain and not given to excitement. In this way, he was able to carry out his judgments with that which is the very foundation of justice and to temper justice with mercy.

"I take gratification not in magnifying him but in paying my tribute to a not only honest man but a faithful man and to the sound judgment he showed as a plain, unassuming gentleman."

E. P. Dole, High Sheriff Brown and S. P. Chillingworth paid high tributes to the departed as magistrate and man.

At the conclusion of the speaking, a committee of five members of the bar was appointed to draw up a memorial.

## THE FANNIE KERR'S LAST LONG VOYAGE

The Manila Times says:

Thirty-eight hundred miles, through calm and storm, and with no man at the helm, the hulk of the once good ship Fannie Kerr followed a course from a point in mid-Pacific, not far from the Hawaiian group, to the far island of Formosa and threw her bones up on the beach, to sail no more. It was on May 29th, last year, that fire broke out in the coal cargo of the Fannie Kerr while she was bound from Newcastle, Australia, to San Francisco, and Captain Gibbons and his crew abandoned the ship without delay after a few hours' fight with the flames and caused the vessel to be abandoned. They stood away in their small boats for the Hawaiian Islands, and all finally reached Honolulu. Tug boats and steamers from Honolulu made diligent search for the abandoned Fannie Kerr, but without avail. It was in latitude 26 deg. 30 min. north, longitude 169 deg. west, that she was last seen by the crew. Though the hulk kept aloft and continued to burn for nearly a year she was not seen by any of the hundreds of steamers or ships passing to and fro from the Asiatic coast until a few weeks ago, when the steamer Taurus, bound from India for Yokohama, reached her destination on April 9th and reported that the Fannie Kerr had been sighted about five miles from Formosa. All the rigging was gone except the bowsprit, and smoke was still coming from the derelict. The decks had buckled, and there was evidence that an explosion had taken place. The news received later that the wreck had finally gone ashore on Formosa confirms the report made by the Taurus. In travelling from the point where she was abandoned a year ago the Fannie Kerr covered a distance of 3800 miles. Her exact course as she followed the currents will never be known but the spot where she went ashore on Formosa is practically the same latitude as the place where she was abandoned.

## Shipping Notes.

(From Monday's daily.)

The cable ship Iris will load a hundred tons of coal today.  
The Mikahala arrived from Kauai early yesterday morning.

The steamer Lehua sails for Molokai and Lanai ports at five p. m. today.  
The Anglia will move to the Naval dock to load coal this morning.

The Nippon Maru is due from the Orient this evening. She will probably sail tomorrow morning for San Francisco.

The Hongkong Maru will probably arrive from San Francisco this afternoon. She brings an unusually large list of cabin passengers.

The S. S. Alameda sails for San Francisco Wednesday morning at 9 o'clock. She sails from the Haddock wharf at the foot of River street.

The Ke Au Hou left for Kauai ports yesterday at 5 p. m.  
The J. A. Cummins sailed for Koolau ports yesterday morning.

The schooner Mo Wahine sailed for Paunaloa yesterday afternoon.  
The Nippon Maru sails for San Francisco at 10 a. m. today.

The Anglia is loading 2000 tons of coal at Naval wharf No. 1.  
The Alameda sails for San Francisco tomorrow morning at 9 o'clock.

The tug Kaena has gone on the Marine Railway for an overhauling.  
The Gerard C. Tobey is at the Pacific Mail wharf discharging coal.

The Kinau sails for Hilo at noon today, and the Claudine for Maui ports at 5 p. m.  
The Hongkong Maru is at the Channel wharf, and will sail for the Orient at noon today.

The steamer Ventura which is due here from the Colonies has on board \$1,500,000 in gold.  
The oil-carrying steamer Argyle left San Francisco with a full cargo for Kailua on July 6.

The British ship Dechnont is discharging coal, and the schooner Mildred is discharging lumber at the Bishop wharf.  
The cableship Iris began taking on 100 tons of coal yesterday afternoon. She is laying in the stream and being coaled from lights.

The British ship Acme anchored outside yesterday. As soon as the Captain gets a crew, she will sail for Delaware Breakwater.  
Marine Exchange cables state that the Doric arrived at San Francisco on the 13th. The schooner Defender arrived from Honolulu on the same day.

## AFTERNOON DISPATCHES FROM ASSOCIATED PRESS

BRESLAU, Germany, July 13.—The country about Breslau has been swept by a terrific flood. Thirty persons are known to have lost their lives.

NEW YORK, N. Y., July 13.—As a result of a compromise reached between the labor unions and contractors, 20,000 mechanics returned to work this morning.

WASHINGTON, D. C., July 13.—The Government has instituted an investigation of alleged irregularities in connection with the assay of lead ore at El Paso.

SANTIAGO DE CHILE, Chile, S. A., July 13.—The recent outbreak of plague is assuming alarming proportions. The disease is spreading and the people are becoming difficult to control.

ROME, Italy, July 13.—Pope Leo's condition has taken a serious turn for the worse today. The patient's mind seems to be giving away. During one period this morning he said to those about him that a great shadow was approaching his bed. Salt water has been injected hypodermically and although a slight revival was apparent, the Pope is very much weaker and the end may come at any moment. The whole system seems to be giving away and the physicians are applying the restoratives of the last resort.

DUBLIN, Ireland, July 13.—The municipal corporation of Dublin today gave evidence that the old feeling against the King of England is by no means wiped out. The course of the new land law in Parliament had given many cause to believe that much of the old bitterness was allayed. A vote taken by the corporation on the presentation of an address of welcome to King Edward was almost unanimous against the extension of such courtesy.

## DEATH COMES PAINLESSLY TO JUDGE WILCOX

(Continued from page 5.)

as a rule he was moderate and conservative. He was essentially a conservative man. In early days of annexation there was a good deal of roughness and he had occasion to punish some soldiers from Camp McKinley very severely. They became very angry, and one night while he was eating supper in a downtown restaurant, a friend came to him and whispered that he had better slip out by a side door, as there were a number of soldiers waiting outside who intended to give him a thrashing. He finished eating his supper very quietly without any apparent disturbance of mind and then as he went out of the door one of the soldiers stepped up to him and Wilcox answered perfectly cool and without the slightest fear. They weren't prepared for that kind of a reception and withdrew. What he did in the police court had a slight salutary effect.

"He never thrust his views upon the people, though he often had very decided views, yet he was perfectly willing to let other people have their opinions and ideas."

"His death will be a great loss to the community, and I am glad to have an opportunity to express my admiration of him."

## THE FUNERAL.

The funeral services will be held this afternoon in Kawaiahao church. All the arrangements have not been completed, but the ceremony will be a fitting close to the life of activity. The service will be public and the friends of the deceased are invited to attend.

## ATTORNEYS FAVOR IT

### Movement to Remodel the Supreme Court.

There was a meeting of the executive committee of the Hawaiian Bar Association at noon yesterday in Smith & Lewis's office, Judge building.

A. F. Judd, Frank Andrade and John L. Kaulukou were appointed a committee to confer with the Justices of the Supreme Court about holding a memorial session out of respect to the late Judge Wilcox and to prepare resolutions for that occasion. It was decided that members of the bar should attend the funeral in a body.

H. A. Bigelow, J. W. Catheart and C. R. Hemenway were appointed a committee to take up the matter of increasing the number of Supreme Court Justices to five, which was discussed at the annual banquet. The committee is directed to draw up a memorial to Congress and an amendment to the Organic Act making the proposed change, and report such drafts back to the executive committee for submission to a meeting of the Association to be called for a general discussion of the subject.

The Association is practically committed to this proposed change in the constitution of the Supreme Court.

## SOME DOINGS IN THE COURTS

Fred. V. Berger filed an amended complaint against E. Faxon Bishop, in the 113 Korean immigration cases before the Federal court.

Ell J. Crawford, administrator of the estate of J. Kealohakui, deceased, has filed his bond in \$400 with Samuel M. Damon as surety.

Lawrence H. Dee, as a creditor, petitions for letters of administration to himself on the estate of the late John Callan, which is mostly a bank deposit and valued at \$358. The petitioner knows of no heirs.

Judges De Bolt and Gear have con-

siderable of chambers business to dispose of this week.  
Antone Fernandez, member of the Legislature, has taken out a license to practice law in the lower courts.

W. S. Ellis has appealed from Judge De Bolt's decree dismissing his application to have his granduncle John K. Sumner put under guardianship for insanity.

## Numbering of Ships.

A new system of official numbers for American vessels went into effect on July 1, when the Bureau of Navigation joined the Department of Commerce and Labor. The new series of numbers begins at 200,000 and hereafter new vessels will be numbered serially in the order of application for official number, regardless of the initial letter of the vessel's name, and of rig or motive power. Thus the official number will indicate approximately the date of build of each new vessel hereafter, being permanently marked on its main beam.

SUMMER COMPLAINT is the children's most dangerous enemy and the mother's most dreaded foe. Immediate and proper treatment is always necessary. Chamberlain's Colic, Cholera and Diarrhoea Remedy, given according to directions, is the most effective remedy known. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

## REAL ESTATE TRANSACTIONS

Recorded June 29.

J. J. Andrade & wf to J. Da Silva; D: Lot 5 Map 18 Patent 4252, Aahualoa Homesteads; Lot 4 Map 2 Patent 3699, Aahualoa, Hamakua, Hawaii; \$1,500. B 250, p. 87. Dated June 29, 1903.

Watling & wf to Fong Tung Chin; D: Various lands & fish pond, Waiawa, Ewa, Oahu; \$1 etc. B 249, p. 274. Dated June 27, 1903.

Recorded June 30.

Malle Kapuakela to Hookano (k); D: pe land, Nanue, N. Hilo, Hawaii; \$85. B 249, p. 277. Dated Jan 18, 1899.

Kelikanakaole & hsb to Malle Kapuakela; D: 37 1/2 A in R P 7707 Nanue, N. Hilo, Hawaii; \$80. B 249, p. 278. Dated Jan 18, 1899.

P. Muhlendorf Tr to C. A. Peterson; D: Lots 25 & 29 Bk 1, Kapoli, Park add, Honolulu, Oahu; \$104. B 249, p. 279. Dated Aug 22, 1898.

E. C. Hobron & wf to C. dos P. Lino; D: Lots 20 & 21 Bk 15 E, Kapahulu Tract, Honolulu, Oahu; \$1,000. B 249, p. 280. Dated June 27, 1903.

A. de Giar & wf to J. de Matta; D: 2 A in Lot 32 Map 5 of Patent 4228, Pa-

\$30. B 249, p. 282. Dated June 25, 1903.  
S. Fowler to J. Sheehan; D: Lot 28 of R P 302 Pacific Heights, Honolulu, Oahu; \$400. B 249, p. 283. Dated June 30, 1903.

Tr of Oahu College to R. J. Pratt; D: Lot 8 Bk 6 College Hills, Honolulu, Oahu; \$1,200. B 249, p. 284. Dated June 18, 1903.

Trs of Oahu College to Florence French; Ex D: Lot 4 Bk 6 College Hills, Honolulu, Oahu; \$1 etc. B 249, p. 285. Dated June 29, 1903.

Florence French & hsb to Trs of Oahu College; Ex D: Lot 1 Bk 5, College Hills, Honolulu, Oahu; \$1 etc. B 249, p. 286. Dated June 29, 1903.

Trs of Oahu College to F. Barwick; Ex D: Lot 1 Bk 5, College Hills, Honolulu, Oahu; \$1 etc. B 249, p. 289. Dated June 30, 1903.

F. Barwick & wf to Trs. of College; Ex D: Lot 7 Bk 5, College Hills, Honolulu, Oahu; \$1 etc. B 249, p. 289. Dated June 30, 1903.

Recorded July 1.  
C. B. Reynolds & wf to Geo. F. Davies; D: 1 share in Lot 2 of R P 1985 & bldgs Kamakela, Honolulu, Oahu; \$300. B 249, p. 293. Dated June 29, 1903.

F. Dalton to L. Richey; D: por R P 5667 Kaneloa Road, Honolulu, Oahu; \$300. B 249, p. 294. Dated May 16, 1903.

Recorded July 2.  
L. K. Kentwell & wf to Hawaiian Realty & Maturity Co Ltd; D: Land & Leaseholds etc, Oahu, and Hawaii; \$36,940. B 249, p. 295. Dated July 1, 1903.

Wm. C. Achi & wf to S. G. Santanna; D: Lots 1 & 2 Bk 7 Kaulani Tract, Honolulu, Oahu; \$500. B 249, p. 297. Dated June 3, 1903.

Wm. C. Achi & wf to Joe Souza; D: Lot 15 Bk B Kapoli Tract, Honolulu, Oahu; \$500. B 249, p. 298. Dated June 23, 1903.

F. F. Luiz & wf to M. F. Neves; D: 5500 sq ft land Beckwith St, Honolulu, Oahu; \$500. B 249, p. 300. Dated Feb 17, 1903.

I. Kanekaku (k) et al to Mr & Mrs H. Papaia; D: int in 3 pcs land Waioli, Hanalei, Kauai; \$40. B 249, p. 301. Dated June 17, 1903.

Wm. R. Castle & wf to A. G. M. Robertson; D: Lots 11 & 12 Bk 1 Poloke, Honolulu, Oahu; \$1,500. B 249, p. 302. Dated June 30, 1903.

Naki (k) to Julia Naki; D: R P 260 Kahuku, Koolauloa, Oahu; R P 246 Kahuku, Oahu; \$1 etc. B 249, p. 304. Dated Mar 6, 1891.

Recorded July 3.  
M. Meheula & wf to Julia Leong et al; D: int in Hul lands of Malipal & Kahana, Lahaina Maui; 35 hd Cattle 5 horses & 1 mule, Lahaina, Maui; \$5. B 350, p. 89. Dated June 20, 1903.

Hilo Sugar Co to Kawaha (k); D: pe land Halepuna, Hilo, Hawaii; \$75. B 250, p. 88. Dated June 29, 1903.

Annie K. Hall to Wm. O. Smith Tr; D: Lots B-1 B-2 B-3 & B-4 of R P 3006 King, Beretania & Aala Sts, Honolulu, Oahu; \$1. B 250, p. 90. Dated July 1, 1903.

Poopuu (w) to Naluana (w); D: R P 3742 Kul 4070 B, Puua, Kona Hawaii; \$50. B 250, p. 94. Dated May 4, 1903.

M. Pio & hsb to Kaulaia; D: R P 611 Kul 5791, Hakipuu, Koolauloko, Oahu; \$50 etc. B 249, p. 305. Dated Jan 14, 1903.

Paku & hsb to Mary Lilli et al; D: 1/2 of R P 1131, 3066, 611, 614 & 1429, Hakipuu, Koolauloko, Oahu; 1/2 pe land Kuakini St, Honolulu, Oahu; \$10 etc. B 249, p. 306. Dated Feb 13, 1900.

K. Makalei & hsb to W. Kawaimaka; D: 1-10 A in R P 1147 Waiakale, Hilo, Hawaii; \$50. B 249, p. 307. Dated June 24, 1903.

I. Kapule (k) to T. C. Davies; D: int in Gr 904 Paunaloa, N. Hilo, Hawaii; \$800. B 249, p. 309. Dated July 1, 1903.

Jas. Ponce to Mary E. Foster; D: 1 share in Hul land, Kahana, Koolauloa, Oahu; \$200. B 350, p. 95. Dated July 1, 1903.

One Quadruple Yar Yan EVAPORATOR.  
One VACUUM PAN. 7 feet diameter, 8 feet deep.  
One CORLISS ENGINE. 18"x42".  
Five 500-gallon Brass CLARIFIER COILS.  
One 60 H P Edison Bipolar 500 VOLT GENERATOR.  
One 50 H P Fort Wayne DIRECT CURRENT MOTOR.  
One 50 H P ELECTRIC LOCOMOTIVE.

8,500 feet (3,013 lbs.) No. 0 COPPER WIRE with hangers, insulators, etc.  
One 10x12 Fly Wheel AIR COMPRESSOR.  
Four Sullivan ROCK DRILLS.  
Two Double ROCK DRILLS.  
Two American Pump Co 6x3x12 direct acting AIR COMPRESSORS.  
Two Speed Regulating PUMP GOVERNORS.  
One 36 inch VENTILATING FAN.  
Two W. I. LIGHT WEIGHT PULLEYS 65 in diameter, 12 1/2 face.  
One 11 H P Union GASOLINE ENGINE with 6 inch CENTRIFUGAL PUMP.

One Hercules GASOLINE HOIST with double Engine, 7 1/2 inch Cylinder, 9 inch Stroke.  
One Duplex Worthington CIRCULATING PUMP.  
One T. C. Austin ROCK CRUSHER.  
One Aveling & Porter TRACTION ENGINE.

One 10 Tye FOWLER CULTIVATOR.  
One Fowler STEAM SCUTTER and spars.

For further particulars and prices apply to  
**Theo. H. Davies & Co., Limited**

## BY AUTHORITY

## TERRITORY OF HAWAII.

Treasurer's Office, Honolulu, Oahu.  
In re Dissolution of the Judd & Company, Limited.

Whereas, the Judd & Company, Limited, a corporation established and existing under and by virtue of the laws of the Territory of Hawaii, has pursuant to law in such cases made and provided, duly filed in this office, a petition for the dissolution of the said corporation, together with a certificate thereto annexed as required by law.

Now, therefore, notice is hereby given to any and all persons that have been or are now interested in any manner whatsoever in the said corporation, that objections to the granting of the said petition must be filed in this office on or before 9 o'clock a. m., July 15th, 1903, and that any person or persons desiring to be heard thereon must be in attendance at the office of the undersigned, in the Capitol Building, Honolulu, at 9 o'clock a. m., of said day, to show cause, if any, why said petition should not be granted.

A. N. KEPOIKAI,  
Treasurer Territory of Hawaii.  
Honolulu, May 6th, 1903. 2487

## FORECLOSURES

MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated December 20, 1900, made by Louis M. McKean and Alia Akai McKean, wife of said Louis M. McKean, both of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagees, to J. W. Leonhart, of Paunaloa, Island of Hawaii, Territory of Hawaii, and recorded in the Registry Office, Oahu, in Liber 213, pages 439 to 442, the mortgagee intends to foreclose said mortgage for condition broken, to-wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Queen street, Honolulu, on Saturday, the 8th day of August, 1903, at 12 o'clock noon.

The property covered by said mortgage consists of:

All those certain lots or tracts of land situate at Kapahulu, in said Honolulu, and described as follows:  
First: Lots 18 and 19 of Block 6A of Lot 31, said Lot 31 being a portion of Apana 32 of Land Commission Award 8559B; being the same premises conveyed to said Louis M. McKean by deeds of Wm. L. Peterson, dated respectively, July 17, 1900, and August 1, 1900, and recorded in the Register Office, Oahu, in Liber 209, page 346 and Liber 209, page 347 respectively; and

Also: Lots 9 and 10 of Block 5A of said Lot 31, being the same premises conveyed to said Louis M. McKean by deed of C. S. Martin, dated December 18, 1900, and recorded in said Register Office in Liber 209, page 347.

Also: Lot 8 of Block F, of Lot 33 of said Apana 32, Land Commission Award 8559B; being the same premises conveyed to said L. M. McKean by deed of Paul Muhlendorf, dated April 16, 1898, and recorded in said Register Office in Liber 189, page 40.